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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

DEC 1 2 2003

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Tuesday, April 1, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

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Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisor was noted absent:

Supervisor Newsom - 1

Quorum present.

Supervisor Newsom was noted present at 2:10 p.m.

Privilege of the Floor

Supervisor Hall, seconded by Supervisor Daly, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Hall introduced, welcomed and presented a Certificate of Honor to the representatives of the American Red Cross.

CONSENT AGENDA

Recommendations of the City Services Committee

030293 **[Medi-Cal coverage for a pregnancy test and outpatient prenatal care]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $25,000 from the March of Dimes to inform low-income women about Medi-Cal coverage for pregnancy testing and outpatient prenatal care and to enter into an agreement which includes an indemnification clause for the use of these funds; for the period of January 1, 2003 through December 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 211-03
ADOPTED

030294 **[Monitor quality of beach water and notify public of potential risks]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of $50,548 from the U. S. Environmental Protection Agency (USEPA) through the California Department of Health Services (CDHS) to screen beach water quality and notify the public of potential health risks and to enter into an agreement for the use of these funds; for the period of November 1, 2002 to September 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 212-03
ADOPTED

Recommendations of the Rules Committee

030249 **[Settlement of Lawsuit - Paul T. Hare]**
Ordinance authorizing settlement of the lawsuit filed by Paul T. Hare against the City and County of San Francisco for $125,000.00; the lawsuit was filed on January 28, 2002 in San Francisco Superior Court, Case No. 403-930; entitled Paul T. Hare v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 60-03
FINALLY PASSED

030323 **[Settlement of Lawsuit - Stephen Sofos]**
Ordinance authorizing settlement of the lawsuit filed by Stephen Sofos against the City and County of San Francisco for $55,000; the lawsuit was filed on December 20, 2001 in San Francisco Superior Court, Case No. C-01-402658 entitled Stephen Sofos v. City and County of San Francisco, Terry Webster, James Sandridge, Jimmy Parrish, Horace Landers, Juvenal Villareal, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 64-03
FINALLY PASSED

030298 **[Appointment]**

Resolution appointing Gwendolyn Henry, Chris Cleary and Maria Luz Torre, terms ending December 31, 2004; Jean van Keulen and Natalie Brutto terms ending December 31, 2006; Marie Lee, Lisa Jaicks and Sheila Norman terms ending December 31, 2005 to the Child Care Planning and Advisory Council.

Gwendolyn Henry, succeeding herself, seat 1, Must be a nominee of District 1 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for a 2-year term ending December 31, 2004.
Jean van Keulen, succeeding herself, seat 2, Must be a nominee of District 2 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for a 4-year term ending December 31, 2006.
Marie Lee, succeeding herself, seat 3, Must be a nominee of District 3 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for a 3-year term ending December 31, 2005.
Lisa Jaicks, new position, seat 4, Must be a nominee of District 4 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for a new 3-year term ending December 31, 2005.
Natalie Brutto, succeeding herself, seat 5, Must be a nominee of District 5 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for a 4-year term ending December 31, 2006.
Chris Cleary, succeeding herself, seat 6, Must be a nominee of District 6 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for a 2-year term ending December 31, 2004.
Maria Luz Torre, succeeding herself, seat 10, Must be a nominee of District 10 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for a 2-year term ending December 31, 2004.
Sheila Norman, succeeding herself, seat 11, Must be a nominee of District 11 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for a 3-year term ending December 31, 2005.

Resolution No. 213-03

ADOPTED

030173 **[Appointment]**
Resolution appointing Christopher Michel, term ending January 31, 2006, to the Veterans Affairs Commission.

Christopher Michel, succeeding Dietrich Falkenthal, resigned, seat 10, must be an at-large appointment for the unexpired portion of a 4-year term ending January 31, 2006.

Resolution No. 209-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Severed from the Consent Agenda

Supervisor McGoldrick requested that this matter be severed so that it could be considered separately.

Supervisor McGoldrick requested information regarding costs and fiscal impact of this matter. SFPD representatives responded to these questions.

030386 **[Accept-Expend State Grant - Police Department]**
Supervisor Dufty

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the California Department of Boating and Waterways to purchase a replacement patrol boat. (Police Department)

(No Public Benefit Recipient.)

Resolution No. 178-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

(Only one of the following two motions should be adopted.)

030254 **[Appeal, Conditional Use - 1193 Oak Street]**

Motion approving decision of the Planning Commission by its Motion No. 16504, approving Conditional Use Application No. 2002.1007C, on property located at 1193 Oak Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

TABLED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030255 **[Appeal, Conditional Use - 1193 Oak Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16504, approving Conditional Use Application No. 2002.1007C, on property located at 1193 Oak Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M03-56

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030256 **[Findings - 1193 Oak Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.1007C, on property located at 1193 Oak Street, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M03-57

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Finance and Audits Committee

030251 **[Settlement Prior to Binding Arbitration]**

Ordinance authorizing settlement of a dispute prior to binding arbitration under Section 23 of the Long-Term Power Sales Agreement with Turlock Irrigation District over San Francisco's right to restrict Turlock's ability to schedule monthly capacity factors; Turlock initiated the Section 23 dispute procedure by written notice dated October 10, 2002. (City Attorney)

(No Public Benefit Recipient.)

Ordinance No. 61-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030267 **[Funding for emergency removal and repair of Drydock #1]**
Supervisor Peskin

Ordinance re-appropriating $1,762,549 of Port surplus capital funding from projects that have been completed, funded by a grant source, or that are low priority to fund contractual obligations for emergency removal and repair of Drydock #1 for the Port or fiscal year 2002-03, allowing for retroactivity.

(Fiscal impact.)

Ordinance No. 62-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030301 **[Clerical Corrections to Article 10a of the Bus. & Tax Reg. Code]**
Supervisor Peskin

Ordinance amending Article 10a of the San Francisco Business and Tax Regulations Code by making clerical corrections to Sections 750, 751, 753 and 755.1 and amending Section 10.100-67 of the San Francisco Administrative Code by making clerical corrections to omit text intended to be deleted by Ordinance Number 71-02.

Ordinance No. 63-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Land Use Committee

021885 **[Repealing Police Code Section 1159 - Sightseeing Vehicle Stands]**
Ordinance repealing Police Code Section 1159, which authorizes the Department of Parking and Traffic to issue to a single entity or person a permit for a sightseeing stand on Powell Street, for the purpose of selling tickets for sightseeing tours and providing sightseeing information. (Parking and Traffic Department)

(No Public Benefit Recipient.)

Ordinance No. 54-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

021912 **[Tour buses prohibited on portions of El Camino del Mar and 25th Avenue]**
Supervisor Newsom

Ordinance amending Police Code Section 1183.31 to prohibit the driving of tour buses on El Camino del Mar between the Presidio and 25th Avenue, and on 25th Avenue between Lake Street and El Camino del Mar.

Ordinance No. 55-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of Rules Committee

030041 **[Dissolving the Hazardous Materials Advisory Committee]**
Supervisors Hall, Newsom

Ordinance amending the San Francisco Health Code by repealing Sections 1103 through 1103.2, and amending Section 1103.3, to dissolve the Hazardous Materials Advisory Committee.

Supervisor Newsom requested to be added as a co-sponsor.
Ordinance No. 56-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030042 **[Dissolving the Skating Advisory Committee]**
Supervisors Hall, Newsom

Ordinance amending the San Francisco Administrative Code by repealing Sections 5.210 through 5.212, to dissolve the Skating Advisory Committee.

Supervisor Newsom requested to be added as a co-sponsor.
Ordinance No. 57-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030043 **[Dissolving the Clean Air Advisory Committee]**
Supervisors Hall, Newsom

Ordinance amending the San Francisco Administrative Code by repealing Section 85.4 and by amending Section 85.10, to dissolve the Clean Air Advisory Committee.

Supervisor Newsom requested to be added as a co-sponsor.
Ordinance No. 58-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030044 **[Dissolving the Video Display Terminal Advisory Committee]**
Supervisors Hall, Newsom

Ordinance amending the San Francisco Health Code by repealing Sections 1303 and 1306, to dissolve the Video Display Terminal Advisory Committee.

Supervisor Newsom requested to be added as a co-sponsor.
Ordinance No. 59-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

NEW BUSINESS

Recommendations of Finance and Audits Committee

030315 **[Fleet Management Program]**
Supervisors Peskin, Daly, Gonzalez

Ordinance amending the San Francisco Administrative Code by repealing existing Section 4.10-1 and adding a new Section 4.10-1, to place all City general purpose vehicles under the jurisdiction of the Director of Administrative Services as part of a comprehensive fleet management program.

Supervisor Daly requested to be added as co-sponsor.
PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030348 **[2003 Mortgage Revenue Draw Down Bonds]**
Mayor, Supervisors Peskin, Hall

Resolution authorizing the issuance, sale and delivery of City and County of San Francisco Single Family Mortgage Revenue Bonds, Draw Down Series 2003-1, in an aggregate principal amount not to exceed $49,000,000; authorizing the execution and delivery of a Trust Indenture, and a Bond Purchase Contract; Authorizing the Mayor, in consultation with the City Attorney, to make any necessary or advisable modifications, changes, or additions to any of the bond documents and authorizing the execution and delivery of and approving other related documents and actions in connection therewith. (Mayor)

(No Public Benefit Recipient.)

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 206-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030349 **[2003 Mortgage Revenue Single Family Housing Bonds]**
Mayor, Supervisors Peskin, Dufty, Hall

Resolution authorizing the issuance, sale and delivery of City and County of San Francisco Single Family Mortgage Revenue Bonds (GNMA and Fannie Mae Mortgage-Backed Securities Program) Series 2003-A in an aggregate principal amount not to exceed $17,635,000; authorizing the execution and delivery of a Trust Indenture, an Origination, Servicing and Administration Agreement, a 2003 Home Mortgage Assistance Trust Agreement, a Bond Purchase Contract, and an Official Statement; Authorizing the Mayor, in consultation with the City Attorney, to make any necessary or advisable modifications, changes, or additions to any of the bond documents and authorizing the execution and delivery of and approving other related documents and actions in connection therewith. (Mayor)

(Public Benefit Recipient.)

Supervisors Dufty and Hall requested to be added as co-sponsors.

Resolution No. 207-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Land Use Committee

021297 **[CEQA Findings]**
Supervisors Daly, Maxwell

Resolution adopting environmental findings pursuant to the California Environmental Quality Act and State Guidelines in connection with adoption of a zoning map amendment for the 601 King Street Project.

Resolution No. 208-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

012042 **[Zoning Map Amendment - King and Seventh Streets]**
Supervisors Daly, Maxwell

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 8H, to change the height and bulk district designation of Assessor's Block 3800, Lots 1 and 2, at King and Seventh Streets, from 50-X to 65-X; and making findings of consistency with the General Plan and Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030203 **[Dogpatch Historic District]**
Supervisors Maxwell, Ammiano, McGoldrick, Dufty, Peskin, Gonzalez, Newsom

Ordinance amending the Zoning Map of the City and County of San Francisco to indicate the Dogpatch Historic District, the location and the boundaries of which are generally between Indiana and Third Street, odd and even addresses, from 18th to Tubbs Street, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisors Dufty and Peskin requested to be added as co-sponsors.
PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

020972 **[Designation of the Dogpatch Historic District]**
Supervisors Maxwell, Peskin, Ammiano, McGoldrick, Dufty, Newsom, Gonzalez

Ordinance amending Article 10 of the Planning Code by adding Appendix L designating the Dogpatch Historic District, the location and the boundaries of which are generally between Indiana and Third Street, odd and even addresses, from 18th to Tubbs Street, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisors Dufty and Newsom requested to be added as co-sponsors.
PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

021338 **[Third Street Alcohol Restricted Use District]**
Supervisors Maxwell, Ammiano, McGoldrick, Dufty, Newsom, Gonzalez

Ordinance adding Section 782 to the Planning Code to create a Third Street Alcohol Restricted Use District prohibiting liquor establishments and regulating existing non-conforming liquor establishments; amending Section 249.14 of the Planning Code to remove inconsistent regulations regarding liquor establishments; amending Zoning Map Sheet 8SU and 10SU of the City and County of San Francisco to indicate the boundaries of the Third Street Alcohol Restricted Use District, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisors Dufty and Newsom requested to be added as co-sponsors.
PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of the Rules Committee

Excuse Supervisor Maxwell From Voting

Supervisor Ammiano, seconded by Supervisor Newsom, moved to excuse Supervisor Maxwell from voting on this matter. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Maxwell

030292 **[Appointment]**

Resolution appointing Supervisor Sophie Maxwell, term ending June 30, 2004 to the Peninsula Corridor Joint Powers Board.

Sophie Maxwell, succeeding herself, term expired, seat one, must be a member of the Board of Supervisors for the unexpired portion of a two year term ending June 30, 2004.

Resolution No. 210-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Maxwell

COMMITTEE REPORTS

From Budget Committee

030415 **[Approval of Health Service System Plans and Contribution Rates]**
Supervisors Ma, Daly, Dufty, Gonzalez

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Fiscal impact; No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Supervisor Ammiano, seconded by Supervisor Newsom, requested that the previous vote be rescinded. The motion carried by the following vote:

Ayes: 11- Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Daly requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megahed; anti war issues and homeless issues
Colin Gallagher: support of legislation regarding costs of anti war protests
Mike Denunzio; support of legislation regarding costs of anti war protests
Sarah Friesma; referred to item previously acted on by the Board today
City Attorney advised her to contact the Planning Department
Connie Little: support of legislation regarding panhandling issues
Howard Epstein; support legislation regarding costs of anti war protests and panhandling legislation
Chris Bowman; budget issues, support legislation regarding costs of anti war protests
Male Speaker; against the Iraq war
Male Speaker, Day Labor Program; was removed from the program
Male Speaker, Day Labor Program; was removed from the program
Male Speaker , SFPD brutality issues
Male Speaker, owner of property on Brant Alley; support of legislation prohibiting motor vehicle traffic on Brant Alley
Bob Iddick, owner of property on Brant Alley; support of legislation prohibiting motor vehicle traffic on Brant Alley
Female Speaker, owner of property on Brant Alley; support of legislation prohibiting motor vehicle traffic on Brant Alley
Female Speaker; homeless issues
Christopher Moscone; attorney representing clients in support of not prohibiting motor vehicle traffic on Brant Alley, request to refer this matter to committee
Male Speaker; homeless issues, food banks, police issues
Tom McDonagh; democratic issues, people free to express
Vernon Jenkins; general issues

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

030490 **[SFUSD Facilities Master Plan]**
Supervisors Ammiano, Maxwell, Ma, Dufty, Newsom

Resolution urging the Department of Public Works (DPW) and the City Architect, in consultation with the San Francisco Unified School District (SFUSD), to suggest possible options for DPW assistance in providing expertise and services to the School District regarding facility repairs and managing construction projects pursuant to the SFUSD Facilities Master Plan.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 215-03
ADOPTED

030491 **[School District Contract for Bus Service]**
Supervisors Ammiano, Maxwell, Ma, Dufty, Newsom

Resolution urging the Municipal Transportation Agency and the San Francisco Unified School District, in consultation with the San Francisco County Transportation Authority, to coordinate on a process by which the Municipal Transportation Agency would, as an expert consultant to the School District, (1) review current expenditures, routing and vehicles used under the School District's bus transportation service contract, (2) assist the School District in formulating future Requests for Proposals for such services, (3) advise the School District on overseeing the contract for such services, including overseeing the contractor's routing decisions, (4) assist the School District in analyzing school bus emissions and alternative fuel bus technology options for transportation services, and (5) review MUNI routing and schedules on lines frequently used by K-12 students going to and from school.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 216-03
ADOPTED

030494 **[Code Enforcement for Residential Housing]**
Supervisors Hall, Dufty, Newsom

Resolution authorizing the San Francisco Department of Building Inspection, Housing Inspection Services Division, in conjunction with other relevant municipal code compliance and enforcement departments of the City and County of San Francisco, to apply for, accept, administer and expend funding from the State of California's Department of Housing and Community Development, Division of Codes and Standards, in order to launch a web-based inventory of annotated digital photography documentation of Housing Code violations to be mutually contributed to and shared amongst and between City and County departments charged with compliance with and enforcement of San Francisco Municipal Code requirements for residential housing.

Supervisors Dufty and Newsom requested to be added as co-sponsors.

Resolution No. 179-03
ADOPTED

030497 **[Accept-Expend Federal/State Grant - $555,000]**
Supervisors Daly, Peskin, Dufty, Ma, Newsom

Resolution authorizing the Executive Director of the Department of Parking and Traffic and the Director of the Department of Public Works to accept and expend up to $555,000 in federal and state grant funds to implement the West Approach Overhead Signage Project in the City and County of San Francisco.

(No Public Benefit Recipient.)

Supervisors Dufty, Ma and Newsom requested to be added as co-sponsors.

Resolution No. 181-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Severed from Without Committee Reference

Supervisor Daly requested that this matter be severed so that it could be considered separately.

030498 **[Committee of the Whole]**
Supervisor Daly

Motion scheduling a Committee of the Whole to consider the motion to schedule special off-site meetings of the Budget Committee, to be held on April 1st at 3:00 P.M.

Amended on page 1, lines 4 and 8 to change the date from "April 1, 2003" to "April 8, 2003." New Title.

Supervisor Daly, seconded by Supervisor Newsom, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Motion scheduling a Committee of the Whole to consider the motion to schedule special off-site meetings of the Budget Committee, to be held on April 8th at 3:00 P.M.

Motion No. M03-55

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Daly requested that this matter be severed so that it could be considered separately.

030492 **[District Attorney Prosecutions]**
Supervisor Hall

Resolution urging the District Attorney to prosecute to the fullest extent allowed under the law those arrested on March 20, 2003 and subsequent days who flagrantly and/or repeatedly violated the law for blocking traffic and failing to follow police orders.

Supervisor Daly requested that this matter be referred to Committee.

REFERRED to the City Services Committee.

Supervisor Daly requested that this matter be severed so that it could be considered separately.

030493 **[City Attorney Pursuit of Costs Associated with Protests]**
Supervisor Hall

Resolution urging the Police Department to itemize their expenses associated with the March 20, 21, and 22, 2003 protests and forward that information on to the City Attorney; and, urging the City Attorney to pursue all legal remedies against those responsible for organizing these crippling demonstrations in order to recover the costs incurred by the City and County of San Francisco that resulted.

Supervisor Daly requested that this matter be referred to Committee.

REFERRED to the City Services Committee.

Supervisor Hall requested that this matter be severed so that it could be considered separately.

030495 **[Prohibiting Motor Vehicle on Brant Alley]**
Supervisor Peskin

Resolution prohibiting motor vehicle traffic on Brant Alley.

(4/21/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Supervisor Hall requested that this matter be referred to Committee.

REFERRED to the Land Use Committee.

Supervisor Hall requested that this matter be severed so that it could be considered separately.

030496 **[Relocation of Laundry Services to Oyster Point]**
Supervisors Peskin, Daly, Dufty

Resolution urging the Department of Administrative Services and other City departments to expeditiously implement the relocation of laundry services for San Francisco General Hospital and Laguna Honda Hospital to the laundry facility at Oyster Point.

REFERRED to the Budget Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Newsom, moved ADOPTION of the Commendatory Finding Act. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Newsom, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030518 **[Commending Sandy Gibbons]**
Supervisor Sandoval

Resolution commending Sandy Gibbons for her work in the legal community.

Resolution No. 180-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030519 **[Recognizing Asa Philip Randolph]**
Supervisors Sandoval, Maxwell, Dufty

Resolution recognizing the life and work of Asa Philip Randolph.

Resolution No. 214-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Resolutions

030492 **[District Attorney Prosecutions]**
Supervisor Hall

Resolution urging the District Attorney to prosecute to the fullest extent allowed under the law those arrested on March 20, 2003 and subsequent days who flagrantly and/or repeatedly violated the law for blocking traffic and failing to follow police orders.

3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/1/03, REFERRED to City Services Committee. Supervisor Daly requested that this matter be referred to Committee.

030493 **[City Attorney Pursuit of Costs Associated with Protests]**
Supervisor Hall

Resolution urging the Police Department to itemize their expenses associated with the March 20, 21, and 22, 2003 protests and forward that information on to the City Attorney; and, urging the City Attorney to pursue all legal remedies against those responsible for organizing these crippling demonstrations in order to recover the costs incurred by the City and County of San Francisco that resulted.

3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/1/03, REFERRED to City Services Committee. Supervisor Daly requested that this matter be referred to Committee.

030495 **[Prohibiting Motor Vehicle on Brant Alley]**
Supervisor Peskin

Resolution prohibiting motor vehicle traffic on Brant Alley.

(4/21/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/1/03, REFERRED to Land Use Committee. Supervisor Hall requested that this matter be referred to Committee.

030496 **[Relocation of Laundry Services to Oyster Point]**
Supervisors Peskin, Daly, Dufty

Resolution urging the Department of Administrative Services and other City departments to expeditiously implement the relocation of laundry services for San Francisco General Hospital and Laguna Honda Hospital to the laundry facility at Oyster Point.

3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/1/03, REFERRED to Budget Committee.

030518 **[Commending Sandy Gibbons]**
Supervisor Sandoval

Resolution commending Sandy Gibbons for her work in the legal community.

4/1/03, ADOPTED.

4/2/03, APPROVED.

030519 **[Recognizing Asa Philip Randolph]**
Supervisors Sandoval, Maxwell, Dufty

Resolution recognizing the life and work of Asa Philip Randolph.

4/1/03, ADOPTED.

030520 **[Interim Controls Regulating Certain Industrially-Zoned Properties on Third Street Between Islais Creek and Paul Street]**
Supervisor Maxwell

Resolution adopting interim controls that would subject the following properties on Third Street between Islais Creek and Paul Avenue, which are currently zoned M (Industrial), to the more restrictive controls of NC-3 (Moderate-Scale Neighborhood Commercial) for a period of twelve months: Assessor's Block 4501, Lots 001, 003, 004, and 005; Block 4881, Lots 012, 018, 022, and 024; Block 4912, Lot 006; Block 4940, Lots 012A, 012B, and 024; Block 5211, Lots 027 and 028; Block 5217, Lot 001; Block 5225, Lot 010; Block 5226, Lots 025, and 028; Block 5235, Lots 003 and 011; Block 5242, Lots 021, 022, 023, 024, and 042; Block 5253, Lots 003, 008, 029, 030, 031, 032, 033, and 034; Block 5260, Lots 001, 002, 003, 032, 034, 035 and 036; Block 5272, Lots 045 and 048; Block 5279, Lots 001, 002 and 003; Block 5414, Lots 005, 006, 007, 008, 025, 026, 027, 028, and 030; Block 5418, Lots 001, 002, and 010; Block 5419, Lots 006, 007, 007B, 007C, 009, 015, 016, 017, and 018; Block 5421, Lot 011; Block 5429, Lot 002; Block 5431A, Lots 001, 001M, 001U, 001V, and 004; adopting findings pursuant to Planning Code Section 101.1.
4/1/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 5/1/2003.

030521 **[Making Environmental Findings and Re-authorizing Vehicle Registration Fee]**
Mayor

Resolution making environmental findings and re-authorizing a one dollar ($1) fee to be paid at time of vehicle registration, renewal, or supplemental application for every vehicle registered to an address within the City and County of San Francisco, except exempt vehicles, to be used exclusively to fund law enforcement programs related to fingerprint identification of persons committing crimes while operating motor vehicles; ratifying said fees paid between January 1, 2003, and the effective date of this resolution; and authorizing the Police Department to issue a fiscal year end report to the California State Controller on the collection and use of these fees. (Mayor)
4/1/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030522 **[Care Program]**
Supervisor Newsom

Resolution urging the San Francisco Department of Public Health and the Department of Human Services to develop a pilot program, similar to the Berkeley Cares Program, which creates a basic need coupon that may be made available to San Franciscans and visitors to assist those in need of food, clothing, shelter and other services as deemed appropriate by the Directors of both departments.
4/1/03, RECEIVED AND ASSIGNED to City Services Committee.

030528 **[Temporary Assistance for Needy Families (TANF) reauthorization]**
Supervisors Gonzalez, Dufty

Resolution urging the United States Congress to reauthorize TANF funds without 1) increasing the weekly work requirement from 30 to 40 hours or 2) shortening the length of time welfare recipients can participate in educational and vocational training.
4/1/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030529 **[Commend US Youth Games Taste on the Bay]**
Supervisors Hall, Newsom

Resolution commending the US Youth Games Taste on the Bay event organizers and participants for their efforts to raise necessary funds for the 2003 United States Youth Games to be held July 25-29, 2003 in San Francisco and to proclaim Tuesday, April 22, 2003 as US Youth Games Taste on the Bay Day in San Francisco.
4/1/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030530 **[CEDAW Gender Analysis]**
Supervisors Newsom, Ma, Dufty, Sandoval, Daly

Resolution urging City Departments to consider a CEDAW gender analysis prior to proposing departmental budget and/or staff cuts.
4/1/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030531 **[Hetch Hetchy Water System Capital Improvement Program]**
Supervisor Newsom

Resolution urging the San Francisco Public Utilities Commission to expedite the implementation of the Capital Improvement Program to rehabilitate, repair and upgrade the Hetch Hetchy Water System and to begin developing plans for a Project labor Agreement with the appropriate labor unions system wide, and to report in writing on the status to the Board of Supervisors within forty-five days of the adoption of this resolution.
4/1/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030532 **[Recognition of the Armenian Genocide]**
Supervisors Peskin, Ammiano, Daly, Gonzalez, McGoldrick, Hall, Newsom, Maxwell, Sandoval

Resolution calling upon Congressman Tom Lantos to reflect the will of the people and elected representatives of San Francisco by supporting and advocating for proper recognition of the Armenian Genocide.
4/1/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030533 **[Extend Asthma Task Force]**
Supervisor Maxwell

Resolution to extend the Asthma Task Force to June 30, 2005.
4/1/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030542 **[Commend Hands On San Francisco]**
Supervisors Ma, Dufty, Hall, Newsom

Resolution recognizing Hands On San Francisco for its achievements and declaring May 10, 2003 to be "Hands On San Francisco Day" in San Francisco.
4/1/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030543 **[Frances F. Lee Day]**
Supervisor Ma

Resolution recognizing the contributions made by Ms. Frances F. Lee during her career at City College of San Francisco and her dedicated service to the community and declaring May 9, 2003 to be the "Frances F. Lee Day" in San Francisco.
4/1/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030544 **[Commend Jacquelyn Wheatley Green]**
Supervisor Ma

Resolution recognizing the achievements of Jacquelyn Wheatley Green.
4/1/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030545 **[Commend Bill Moyers]**
Supervisor McGoldrick

Resolution commending Bill Moyers for his PBS special series, "Becoming American: The Chinese Experience."
4/1/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

030523 **[Closed Session regarding Medical Cannabis]**
Supervisor Dufty

Closed session regarding the possibility of significant exposure to litigation against the City resulting from the implementation of the City's medical cannabis policies.
4/1/03, RECEIVED AND ASSIGNED to City Services Committee.

030524 **[SFPUC Implementation of the Proposition A]**
Supervisor Ammiano

Hearing regarding S.F. Public Utilities Commission implementation of the Proposition A Hetch Hetchy rebuild.
4/1/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030525 **[Status of Medical Cannabis in San Francisco.]**
Supervisors Dufty, Ammiano, Gonzalez, Maxwell, Ma

Public hearing on the status of medical cannabis in San Francisco.
4/1/03, RECEIVED AND ASSIGNED to City Services Committee.

030526 **[SB 848, Vehicles: Safety Enhancement Double Fine Zones]**
Supervisors Maxwell, Ma

Hearing to consider the support of Senator Karnette's (D-Long Beach) SB 848, Vehicles: safety enhancement double fine zones.
4/1/03, RECEIVED AND ASSIGNED to City and School District Select Committee. Sponsor requests this item be scheduled for consideration at the April 14, 2003 meeting.

Motions

030517 **[Declaration of Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
4/1/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030499 **[Off-Site Budget Committee Meetings]**
Supervisor Daly

Motion scheduling special off-site meetings of the Budget Committee for the purpose of receiving community input on the City and County of San Francisco's 2003-2004 Budget.
3/25/03, ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole on April 8, 2003, at 3:00 PM.
4/1/03, SUBSTITUTED. Supervisor Daly submitted a substitute motion bearing same title.
4/1/03, ASSIGNED to Board of Supervisors.

PROPOSED ORDINANCES

030510 **[Mission Bay Park P8 Bank Stabilization - at the west end of the China Basin Channel]**
Ordinance accepting the irrevocable offer for the Acquisition Facilities for Park P8 Bank Stabilization; designating said facilities for public use and maintenance purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,026; and authorizing official acts in connection with this ordinance. (Public Works Department)

(No Public Benefit Recipient;DPW Order No. 174,026.)
3/24/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 4/24/2003.

022027 **[Conflict of Interest Code Amendments]**
Supervisor Gonzalez

Ordinance amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-135, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-230, 3.1-240, 3.1-245, 3.1-250, 3.1-260, 3.1-265, 3.1-270, 3.1-275, 3.1-310, 3.1-315, 3.1-320, 3.1-335, 3.1-345, 3.1-350, 3.1-360, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-430, 3.1-435, and 3.1-445; deleting section 3.1-330 of the Campaign and Governmental Conduct Code; and adding sections 3.1-169 and 3.1-225 to the Campaign and Governmental Conduct Code to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure requirements.
12/16/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 1/15/2003.
2/7/03, TRANSFERRED to Rules Committee. New committee structure 2/17/03.

3/24/03, SUBSTITUTED. City Attorney submitted a substitute ordinance bearing new title.
3/24/03, ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

030471 **[AIDS surveillance training materials for international sites]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $93,523 with The Regents of the University of California San Francisco (UCSF), the primary contractor to participate in developing materials, field testing, and providing technical assistance in AIDS surveillance training at various international sites, for the period of January 1, 2003, to September 29, 2003. (Public Health Department)

(No Public Benefit Recipient.)
3/21/03. RECEIVED AND ASSIGNED to City Services Committee. Department requests this item be scheduled for consideration at the April 10, 2003 meeting.

030511 **[Accept-Expend Foundation Grant]**
Resolution authorizing the Department of Environment to accept and expend a grant in the amount of $50,000 from the San Francisco Foundation for locating air monitoring equipment in San Francisco's Bayview Hunters Point community. (Environment)

(Public Benefit Recipient.)
3/24/03, RECEIVED AND ASSIGNED to Land Use Committee. Department requests this item be scheduled for consideration as soon as possible.

030515 **[Accept-Expend State Grant]**
Supervisors Dufty, Newsom

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $20,840 from the California State Library for continuing family literacy programming as part of Project Read. (Public Library)

(No Public Benefit Recipient.)
3/25/03, RECEIVED AND ASSIGNED to City Services Committee.
4/1/03, REFERRED TO DEPARTMENT. Referred to Youth Commission for review and comment.

Requests Granted

From: Supervisor Newsom
To: Director, Department of Public Health
Requesting/Inquiring: Inquiring of planned departmental activities regarding the Severe Acute Respiratory Syndrome (SARS) in response to the first SARS case having been reported in the City and County of San Francisco.

From: Supervisor Newsom
To: City Attorney
Requesting/Inquiring: To draft an ordinance, which enhances and improves San Francisco's aggressive panhandling ordinance that: (1) repeals all prior blanket bans on panhandling, restrictions on aggressive solicitation, and solicitation near automatic teller machines (ATMs) and establishes a new aggressive solicitation prohibition; (2) reduces from a misdemeanor to an infraction all violations of San Francisco's aggressive solicitation ordinance; (3) in the instance of a third infraction, establishes community service and diversion requirements for violators of this ordinance; and (4) permits the Department of Human Services to establish in-lieu-of-cash basic needs payment systems for indigent and homeless individuals.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft a Clean Bay Ordinance based on the attached document.

From: Supervisor Sandoval
To: City Attorney
Requesting/Inquiring: To draft a memo detailing the ways in which the City can protect its citizens from the harmful effects of phthalates in consumer products. Please read attached document.

From: Supervisor Ammiano
To: General Manager, San Francisco Public Utilities Commission
Requesting/Inquiring: Inquiring about Proposition A implementation. Please read attached letter.

In Memoriams

Evelyn Lee (Entire Board)
Robert Sanchez (Supervisors Dufty, Sandoval, Ammiano, Gonzalez)
Gavina M. Boyd (Supervisor Dufty)
Henry Edward Bruce Watson (Supervisor Dufty)
Herbert Aptheker (Supervisor Maxwell)

ADJOURNMENT

There being no further business, the Board at the hour of 4:38 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 29, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.
DEC 12 2003
SAN FRANCISCO PUBLIC LIBRARY

Tuesday, April 8, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:02 p.m. On the call of the roll, all Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Newsom, moved to approve March 4, 2003 and March 18, 2003. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Privilege of the Floor

Supervisor Peskin, seconded by Supervisor Sandoval, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Peskin introduced, welcomed and presented Certificates of Honor to members of the San Francisco Fire Department for their heroic actions during a fire in the North Beach Area on April 7, 2003.

Supervisor Sandoval introduced and welcomed Dr. Mitch Katz, Director of Public Health who updated the Board on the SARS situation.

CONSENT AGENDA

Recommendations of the Rules Committee

030322 **[Settlement of Lawsuit - Maxuman Lamar Chenier]**
Ordinance authorizing settlement of the lawsuit filed by Maxuman Lamar Chenier against the City and County of San Francisco for $237,500; the lawsuit was filed on August 14, 2000 in San Francisco Superior Court; Case No. 314357; entitled Maxuman Lamar Chenier v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

030385 **[Appointment]**
Resolution appointing Randall Low and John G. Williams, terms ending January 15, 2006 to the San Francisco Health Authority. Residency requirement waived for John G. Williams.

Randall Low, term expired, seat 7, must be a physician, and nominee of SF Medical Society or any successor organization for the unexpired portion of a 3-year term ending January 15, 2006.
John G. Williams (residency requirement waived), succeeding Jack Fries, term expired, seat 4, must be Senior Manager of St. Luke's Hospital for the unexpired portion of a 3-year term ending January 15, 2006.

Resolution No. 219-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Severed From Consent Agenda

Supervisor Sandoval requested that this matter be severed so that it could be considered separately.

030343 **[Settlement of Lawsuit - SamTrans/Tanforan]**
Supervisor Gonzalez

Ordinance approving settlement of litigation of San Mateo County Transit District against City and County of San Francisco for total value of $2,544,500. (City Attorney)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget Committee

030415 **[Approval of Health Service System Plans and Contribution Rates]**
Supervisors Ma, Daly, Dufty, Gonzalez

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Fiscal impact; No Public Benefit Recipient.)

Supervisors Dufty and Gonzalez requested to be added as co-sponsors.

Ordinance No. 70-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of the Finance and Audits Committee

030315 **[Fleet Management Program]**
Supervisors Peskin, Daly, Gonzalez

Ordinance amending the San Francisco Administrative Code by repealing existing Section 4.10-1 and adding a new Section 4.10-1, to place all City general purpose vehicles under the jurisdiction of the Director of Administrative Services as part of a comprehensive fleet management program.

Supervisor Gonzalez requested to be added as a co-sponsor.

Ordinance No. 69-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Land Use Committee

012042 **[Zoning Map Amendment - King and Seventh Streets]**
Supervisors Daly, Maxwell

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 8H, to change the height and bulk district designation of Assessor's Block 3800, Lots 1 and 2, at King and Seventh Streets, from 50-X to 65-X; and making findings of consistency with the General Plan and Planning Code Section 101.1.

Ordinance No. 65-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

020972 **[Designation of the Dogpatch Historic District]**
Supervisors Maxwell, Peskin, Ammiano, McGoldrick, Dufty, Newsom, Gonzalez

Ordinance amending Article 10 of the Planning Code by adding Appendix L designating the Dogpatch Historic District, the location and the boundaries of which are generally between Indiana and Third Street, odd and even addresses, from 18th to Tubbs Street, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisor Gonzalez requested to be added as a co-sponsor.
Ordinance No. 66-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030203 **[Dogpatch Historic District]**
Supervisors Maxwell, Ammiano, McGoldrick, Dufty, Peskin, Gonzalez, Newsom

Ordinance amending the Zoning Map of the City and County of San Francisco to indicate the Dogpatch Historic District, the location and the boundaries of which are generally between Indiana and Third Street, odd and even addresses, from 18th to Tubbs Street, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisors Gonzalez and Newsom requested to be added as co-sponsors.
Ordinance No. 68-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

021338 **[Third Street Alcohol Restricted Use District]**
Supervisors Maxwell, Ammiano, McGoldrick, Dufty, Newsom, Gonzalez

Ordinance adding Section 782 to the Planning Code to create a Third Street Alcohol Restricted Use District prohibiting liquor establishments and regulating existing non-conforming liquor establishments; amending Section 249.14 of the Planning Code to remove inconsistent regulations regarding liquor establishments; amending Zoning Map Sheet 8SU and 10SU of the City and County of San Francisco to indicate the boundaries of the Third Street Alcohol Restricted Use District, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisor Gonzalez requested to be added as a co-sponsor.

Ordinance No. 67-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

NEW BUSINESS

Recommendation of Finance and Audits Committee

030389 **[Agreement to sell former Central Freeway parcel]**
Resolution approving and authorizing an agreement for the sale at 94% of fair market value of certain real property formerly occupied by the Central Freeway; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution. (Real Estate Department)

(Public Benefit Recipient.)

Resolution No. 220-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Budget Committee

030352 **[Parking Meter Rates]**
Mayor, Supervisor Gonzalez

Ordinance approving parking meter rates. (Mayor)

(No Public Benefit Recipient.)

Supervisor Gonzalez requested to be added as a co-sponsor.
PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030424 **[Establishing parking violation and late payment penalties]**
Supervisor Gonzalez

Ordinance amending the San Francisco Traffic Code by amending Sections 130 and 131 and adding Section 132 to establish fines for parking violations and late payment penalties. (Budget Committee)

(Supervisor Daly dissenting in Committee)

Supervisor Gonzalez requested to be added as sponsor.
PASSED ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Noes: 2 - Daly, McGoldrick

030141 **[Review of Current City Budget Reserve and Fund Balance Practices]**
Supervisors Ammiano, Ma, Newsom, McGoldrick, Peskin

Resolution urging the Controller to review current City and County budget reserve and fund balance practices and best practices in other local jurisdictions, review historic changes in City revenues and one-time expenditures during periods of greater than average growth in City revenues and best practices in other jurisdictions, review and analyze the feasibility of establishing a revenue stabilization fund for use during economic downturns funded by extraordinary growth in City revenues, and recommend to the Mayor and the Board of Supervisors best practices for budget reserves and fund balances and recommendations for allocation of greater than average growth in General Fund revenues for a revenue stabilization fund, prevention programs, one-time capital spending and spending on deferred maintenance.

Resolution No. 218-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030305 **[Budget Direction to the Clerk of the Board of Supervisors and City Departments]**
Supervisors Ammiano, Daly, Peskin, McGoldrick

Motion directing the Clerk of the Board of Supervisors to identify and recommend to the Budget Committee potential cuts equaling 10 and 20% of the Board of Supervisors budget, directing the Budget Analyst to contact elected officials and department heads in General Fund supported City departments to request proposed cuts equaling 10 and 20% of General Fund supported costs for administrative positions earning a base salary of more than $90,000 annually, including all Management Compensation and Classification Plan (MCCP) positions, and non-essential functions within their administrative budgets, directing the Budget Analyst to develop a budget justification and staffing analysis in consultation with the Fire Department to transfer Chief's Aides to firefighting or other appropriate positions within the Fire Department and urging the Director of Human Resources to expand planned job placement assistance programs for City employees who are laid off during the budget process to meet the needs of professional staff, including identifying potential job opportunities in non-General Fund departments and other government agencies.

Supervisor McGoldrick requested to be added as a co-sponsor.
Motion No. M03-58
APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of the Rules Committee

021999 **[Biosciences Task Force]**
Supervisors Maxwell, Dufty, Ammiano, Newsom

Resolution establishing a Biosciences Task Force to make policy recommendations to the Board of Supervisors and setting forth the membership and duties of the Task Force.

Amended on page 3, line 18, by replacing "2" with "3".
Supervisor McGoldrick, seconded by Supervisor Daly, moved that this Resolution be AMENDED. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisors Ammiano and Newsom requested to be added as co-sponsors.

Resolution No. 217-03

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recess

The Board recessed at the hour of 2:55 p.m.

Reconvening of the Board

The Board at the hour of 3:10 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval - 10

Supervisor McGoldrick was noted present at 3:11 p.m.

030376 **[Public Hearing - Appeal, Negative Declaration for 40-50 Lansing Street]**
Hearing of persons interested in or objecting to the Planning Commission certification of Final Mitigated Negative Declaration, File No. 2002.0446E, for a proposed 81 unit Residential Building located at 40-50 Lansing Street (aka 35 Guy Street), Block 3749, Lot 11, in San Francisco. (Clerk of the Board)

(Appeal filed February 21, 2003; Publication of Preliminary Mitigated Negative Declaration: October 19, 2002; Amended Mitigated Negative Declaration: December 30, 2002; Final Mitigated Negative Declaration adopted and issued on February 20, 2003; Planning Commission Motion No. 16530 affirming the decision to issue a Mitigated Negative Declaration dated February 20, 2003; companion measure to Files 030373, 030374, 030375; General Public Hearing Notice mailed March 12, 2003; District 6.)

Appellant: Sarah O'Malley

Board Members reviewed and discussed issues with the appellant.

Tom Marley; support of appellant
Richard Hilton; support of appellant
Drayna Avabogan; support of appellant
Mary Anne Robinson; support of appellant
Paula Roth; support of appellant
Cliff Roth; support of appellant
Robert Lundoff; support of appellant
Kevin Nunney; support of appellant
Anna Christine Toso; support of appellant
Tulley West; support of appellant
Ken Morrison; support of appellant
Barbara Doon; support of appellant
John Torness; support of appellant
Green Demint; support of appellant
Patrick O'Malley; support of appellant

Gerald Green, Director of Planning requested the Board to increase the time allotted to the Department for their report and presentation.

Supervisor Daly, seconded by Supervisor Dufty, moved to increase time allotted for the Department of Planning's presentation from 10 minutes to 20 minutes.
Motion carried by the following vote:
Ayes: 11- Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Paul Maltzer, Department of Planning and Gerald Green, Director of Planning, reviewed with the Board the Planning Commission's recommendation.

Board Members reviewed and discussed issues with the Department of Planning representatives.

Attorney for Project Sponsor, Andrew Junius
Andy Zetzinsky, designer for project; support of sponsor
David, designer for project; support of sponsor
Steven Aiello, Volunteer for Green Belt Alliance; support of sponsor
Kate White, Housing Coalition; support of sponsor
Bob Myers; support of sponsor
Jeff Maddox, Fire Protection Engineer; support of sponsor
Will Bailey, project manager for Lansing Street project; support of sponsor
Jack Hutchinson; traffic engineer for project sponsor
Chris Harney, family owner of subject property; support of sponsor

Rebuttal period was allowed.
Sarah O'Malley

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk

(Only one of the following two motions should be adopted.)

Supervisor Ammiano noted absent at 6:15 p.m.

030373 **[Affirming adoption of the negative declaration for 40-50 Lansing Street]**
Motion affirming the Planning Commission adoption of the negative declaration for 40-50 Lansing Street. (Clerk of the Board)

Continued to April 22, 2003
CONTINUED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

030374 **[Reversing adoption of the negative declaration for 40-50 Lansing Street]**
Motion reversing the Planning Commission adoption of the negative declaration for 40-50 Lansing Street. (Clerk of the Board)

Continued to April 22, 2003
CONTINUED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

030375 **[Preparation of findings to reverse adoption of the negative declaration for 40-50 Lansing Street]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 40-50 Lansing Street. (Clerk of the Board)

Continued to April 22, 2003
CONTINUED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

030477 **[Hearing - Budget Committee Special Off-site Meetings]**
Hearing before the full Board of Supervisors to consider motion scheduling special off-site meetings of the Budget Committee for the purpose of receiving community input on the City and County of San Francisco's 2003-2004 Budget. (Clerk of the Board)

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the Public Hearing closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

Committee of the Whole Rise and Report Without Recommendation

030499 **[Off-Site Budget Committee Meetings]**
Supervisor Daly

Motion scheduling special off-site meetings of the Budget Committee for the purpose of receiving community input on the City and County of San Francisco's 2003-2004 Budget.

Amended on page 1, line 21, after "28th" by inserting "Avenue" and by changing "Streets" to "Street".
Supervisor Ma, seconded by Supervisor Dufty, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Motion No. M03-59
APPROVED AS AMENDED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

COMMITTEE REPORTS

From the Rules Committee

022027 **[Conflict of Interest Code Amendments]**
Supervisor Gonzalez

Ordinance amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-135, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-230, 3.1-240, 3.1-245, 3.1-250, 3.1-260, 3.1-265, 3.1-270, 3.1-275, 3.1-310, 3.1-315, 3.1-320, 3.1-335, 3.1-345, 3.1-350, 3.1-360, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-430, 3.1-435, and 3.1-445; deleting section 3.1-330 of the Campaign and Governmental Conduct Code; and adding sections 3.1-169 and 3.1-225 to the Campaign and Governmental Conduct Code to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure requirements.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; war issues
James Chaffee; SF Public Library issues
Slyvia Johnson; war issues
Male Speaker; peace issues
Abe Yacoubian; support of Armenian Genocide Resolution to Congressman Tom Lantos
Hy Bagdasarian; support of Armenian Genocide Resolution to Congressman Tom Lantos
Female Speaker; SFPD brutality
John Bardis; Negative Declaration process

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

030528 **[Temporary Assistance for Needy Families (TANF) reauthorization]**
Supervisors Gonzalez, Dufty

Resolution urging the United States Congress to reauthorize TANF funds without 1) increasing the weekly work requirement from 30 to 40 hours or 2) shortening the length of time welfare recipients can participate in educational and vocational training.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 221-03
ADOPTED

030529 **[Commend US Youth Games Taste on the Bay]**
Supervisors Hall, Newsom

Resolution commending the US Youth Games Taste on the Bay event organizers and participants for their efforts to raise necessary funds for the 2003 United States Youth Games to be held July 25-29, 2003 in San Francisco and to proclaim Tuesday, April 22, 2003 as US Youth Games Taste on the Bay Day in San Francisco.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 222-03
ADOPTED

030531 **[Hetch Hetchy Water System Capital Improvement Program]**
Supervisor Newsom

Resolution urging the San Francisco Public Utilities Commission to expedite the implementation of the Capital Improvement Program to rehabilitate, repair and upgrade the Hetch Hetchy Water System and to begin developing plans for a Project labor Agreement with the appropriate labor unions system wide, and to report in writing on the status to the Board of Supervisors within forty-five days of the adoption of this resolution.

Resolution No. 223-03
ADOPTED

030533 **[Extend Asthma Task Force]**
Supervisor Maxwell

Resolution to extend the Asthma Task Force to June 30, 2005.

Resolution No. 225-03
ADOPTED

030542 **[Commend Hands On San Francisco]**
Supervisors Ma, Dufty, Hall, Newsom

Resolution recognizing Hands On San Francisco for its achievements and declaring May 10, 2003 to be "Hands On San Francisco Day" in San Francisco.

Supervisors Hall and Newsom requested to be added as co-sponsors.

Resolution No. 226-03
ADOPTED

030543 **[Frances F. Lee Day]**
Supervisor Ma

Resolution recognizing the contributions made by Ms. Frances F. Lee during her career at City College of San Francisco and her dedicated service to the community and declaring May 9, 2003 to be the "Frances F. Lee Day" in San Francisco.

Resolution No. 227-03
ADOPTED

030544 **[Commend Jacquelyn Wheatley Green]**
Supervisor Ma

Resolution recognizing the achievements of Jacquelyn Wheatley Green.

Resolution No. 228-03
ADOPTED

030545 **[Commend Bill Moyers]**
Supervisor McGoldrick

Resolution commending Bill Moyers for his PBS special series, "Becoming American: The Chinese Experience."

Resolution No. 229-03
ADOPTED

030502 **[Final Map for a 6 Unit Residential Condominium Project]**
Motion approving Final Map of 2112 Hyde Street, A Residential Condominium Project, being a subdivision of Lot 16, Assessor's Block No. 94, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,036; District 2.)

Motion No. M03-60
APPROVED

030503 **[Final Map for a 8 Unit Residential Condominium Project]**

Motion approving Final Map of 1688 Wallace Avenue, A Residential Condominium Project, being a subdivision of Lot 9 in Assessor's Block No. 5387, and adopting findings pursuant to Planning Code Section 101.1 (Public Works Department)

(No Public Benefit Recipient; DPW Order No.174,037; District 10.)

Motion No. M03-61
APPROVED

030508 **[Final Map for a 10 Unit Mixed Use Condominium Project]**

Motion approving Final Map of 305-315 Santa Rosa Avenue, a Mixed Use Condominium Project, being a subdivision of Lot 40, Assessor's Block No. 3144A, and adopting findings pursuant to Planning Code Section 101.1 (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,035; District 7.)

Motion No. M03-62
APPROVED

030509 **[Final Map for a 10 Unit Mixed Use Condominium Project]**

Motion approving Final Map of 8-18 Colonial Street, a Mixed Use Condominium Project, being a subdivision of Lot 39, Assessor's Block No. 3144A, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,034; District 11.)

Motion No. M03-63
APPROVED

030552 **[Final Map for a 9 Unit Residential Condominium Project]**

Motion approving Final Map of 420 Stanyan Street, A Residential Condominium Project, being a subdivision of Lot 40 in Assessor's Block No. 1191, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,038; District 5.)

Motion No. M03-65
APPROVED

030517 **[Declaration of Emergency]**

Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M03-64
APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 2 - Ammiano, Sandoval

Severed from Without Reference Committee Agenda

Supervisor Newsom requested that this matter be severed so that it could be considered separately.

030530 **[CEDAW Gender Analysis]**

Supervisors Newsom, Ma, Dufty, Sandoval, Daly

Resolution urging City Departments to consider a CEDAW gender analysis prior to proposing departmental budget and/or staff cuts.

Continued to April 15, 2003

Supervisor Newsom, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 2 - Ammiano, Sandoval

Supervisor Peskin requested that this matter be severed so that it could be considered separately.

030532 **[Recognition of the Armenian Genocide]**

Supervisors Peskin, Ammiano, Daly, Gonzalez, McGoldrick, Hall, Newsom, Maxwell, Sandoval

Resolution calling upon Congressman Tom Lantos to reflect the will of the people and elected representatives of San Francisco by supporting and advocating for proper recognition of the Armenian Genocide.

Amended on page 2, line 2, by replacing "attempted to derail" with the word "opposed".

AMENDED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 2 - Ammiano, Sandoval

Resolution No. 224-03

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 2 - Ammiano, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Peskin, moved ADOPTION of the Commendatory Finding Act. The motion carried by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 2 - Ammiano, Sandoval

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

ADOPTION of the Brown Act Finding by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 2 - Ammiano, Sandoval

030573 **[Commending Gabriela Schultz]**
Supervisor Daly

Resolution commending Gabriela Schultz for her to the advancement of educational opportunities for students in Bay Area.

Resolution No. 230-03

ADOPTED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 2 - Ammiano, Sandoval

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Introduced by Supervisors or Mayor

Ordinances

030347 **[Reauthorizing the Minority/Women/Local Business Utilization Ordinance]**
Supervisors Ma, Newsom, Dufty

Draft Ordinance amending the San Francisco Administrative Code by amending Chapter 12D.A. thereof (1) to extend the Minority/Women/Local Business Utilization Ordinance to June 30, 2008 in order to remedy identified discrimination against certain Prime MBE/WBE Contractors in City Contracting, to continue the City's policy of protecting Prime LBE Contractors from the economic competitive disadvantage of doing business in San Francisco, and to continue to require City contracting departments to implement MBE/WBE programs mandating Prime Contractors to use good faith efforts to use MBE/WBEs when there are subcontracting opportunities in City Contracts; (2) to repeal Sections 12D.A.6(B)(9), 12D.A.8(3) and 12D.A.9(F) to eliminate the contract set aside program; (3) to revise section 12D.A.17 to include prime general services contracts in the subcontracting program; and (4) to make various technical revisions to the Minority/Women/Local Business Utilization Ordinance to conform it with existing City ordinances and administrative practices.
3/4/03, ASSIGNED UNDER 30 DAY RULE to Finance and Audits Committee, expires on 4/3/2003.
3/28/03, TRANSFERRED to Rules Committee.
4/8/03, SUBSTITUTED. Supervisor Ma submitted a substitute draft ordinance bearing same title.
4/8/03, ASSIGNED to Rules Committee.

030565 **[MOU - Supervising Probation Officers, Local 3]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Supervising Probation Officers, Local 3, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/8/03, RECEIVED AND ASSIGNED to Budget Committee.

030566 **[MOU - Operating Engineers, Local 3]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/8/03, RECEIVED AND ASSIGNED to Budget Committee.

030567 **[MOU - Plasterers and Shophands, Local 66]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Plasterers and Shophands, Local 66, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/8/03, RECEIVED AND ASSIGNED to Budget Committee.

030568 **[MOU - Bricklayers, Stone Masons, Terrazzo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3, and Hod Carriers, Local 36]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Bricklayers, Stone Masons, Terrazo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3, and Hod Carriers, Local 36 to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/8/03, RECEIVED AND ASSIGNED to Budget Committee.

030569 **[MOU - Federation of Professional and Technical Engineers, Local 21]**
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/8/03, RECEIVED AND ASSIGNED to Budget Committee.

030570 **[MOU - Deputy Sheriffs' Association]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Sheriffs' Association to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/8/03, RECEIVED AND ASSIGNED to Budget Committee.

030571 **[Unrepresented Employees]**
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2003. (Mayor)
4/8/03, RECEIVED AND ASSIGNED to Budget Committee.

030572 **[MOU - MEA]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/8/03, RECEIVED AND ASSIGNED to Budget Committee.

030577 **[Parental Leave]**
Supervisor Daly

Ordinance approving rules for administration, interpretation and regulation of Parental Leave as submitted by the Department of Human Resources.

(Fiscal impact.)
4/8/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030582 **[Sale of City Real Property]**
Supervisors Peskin, Gonzalez, Ma

Ordinance amending Section 23.3 of the Administrative Code to provide that the sale of City real property shall be at a sales price of at least 100 percent of the Director of Property's appraised value of the real property, rather than the current 90 percent requirement, except for sales resulting from public auctions or competitive bidding.
4/8/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

030573 **[Commending Gabriela Schultz]**
Supervisor Daly

Resolution commending Gabriela Schultz for her to the advancement of educational opportunities for students in Bay Area.
4/8/03, ADOPTED.

030574 **[Agreement for Security Information Exchange Network]**
Mayor, Supervisor Dufty

Resolution authorizing the Director of Transportation to execute an agreement between the Federal Bureau of Investigation (FBI) and the City and County of San Francisco, enabling the Municipal Transportation Agency to participate in the Federal Government's cooperative known as InfraGard, which allows for the exchange of security information between the Federal Government and major transit agencies. (Mayor)
4/8/03, RECEIVED AND ASSIGNED to City Services Committee.

030575 **[State Grant - Mayor's Office of Criminal Justice]**
Mayor, Supervisors Dufty, Newsom

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of $2,634,179 from the State Board of Corrections, from funds made available under Assembly Bill 1913 - known as the Schiff-Cardenas Crime Prevention Act of 2000 (CPA 2000), for programs and approaches that have been demonstrated to be effective in reducing delinquency. (Mayor)

(Public Benefit Recipient.)
4/8/03, RECEIVED AND ASSIGNED to City Services Committee.

030576 **[State Grant - Police Department]**
Mayor, Supervisors Dufty, Newsom

Resolution authorizing the Police Department to retroactively accept and expend a grant from the State of California Controller's Office for funding technology-related acquisitions to enhance public safety. (Mayor)

(Public Benefit Recipient.)
4/8/03, RECEIVED AND ASSIGNED to City Services Committee.

030578 **[Amend Resolution No. 675-02 - Board and Committee Meetings.]**
Supervisor Gonzalez

Resolution amending Resolution No. 675-02 to provide that neither the Board of Supervisors nor any of its Committees shall convene regularly scheduled meetings during the week of the first Tuesday of each month.
4/8/03, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests that Files 030578, 030579, and 030580 be calendared at the same date.

030581 **[Sole Source Contracting Procedures]**
Supervisor Newsom

Resolution directing the Office of Contract Administration to change its procedures for sole source contracting, including the adoption of the key recommendations made by the Office of the Controller, in order to ensure a more coordinated, controlled and efficient administrative procedure for the City and County of San Francisco.
4/8/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030584 **[National Professional Social Worker Month]**
Supervisors Ammiano, Sandoval, Dufty, Peskin, Daly

Resolution honoring National Professional Social Worker Month.
4/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030585 **[Ethics Commission - Screening, Ethics Training and Policies]**
Supervisors Ammiano, Peskin, Daly, McGoldrick

Resolution urging the Ethics Commission to conduct a public hearing and develop and present to the Mayor, the Board of Supervisors and other City elective officeholders recommended procedures for: screening applicants to City commissions and for at-will employment; training City commissioners and staff regarding City conflict-of-interest and Sunshine requirements; and additional policies to maintain ethical conduct.
4/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030586 **[Transition Management]**
Supervisors Ammiano, McGoldrick

Resolution requesting that the City Attorney develop proposed transition management plans for City elective offices.
4/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030587 **[Strategies for Homeless Individuals with Mental Health and Dual Diagnoses]**
Supervisors Ammiano, Dufty, Daly, McGoldrick

Resolution urging the Director of Public Health, in consultation with community organizations, to develop a report addressing "Comprehensive Strategies to Serve Homeless Individuals with Mental Health Diagnoses, Substance Abuse Diagnoses and Chronic Medical Conditions."
4/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030588 **[Pursuit of federal and state charges]**
Supervisor Hall

Resolution urging the District Attorney and City Attorney to explore with Federal and State legal authorities the possibility of pursuing Racketeer Influenced and Corrupt Organizations Act (RICO) charges and any other federal or state violations against the organizers of the March 20th protests and subsequent days in the City and County of San Francisco.
4/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030589 **[Use of the City Flag in "The Flags of California" Publication]**
Supervisor Gonzalez

Resolution granting permission to Historian Stan Mottaz to use the Flag of the City and County of San Francisco in his forthcoming book, entitled "The Flags of California."
4/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030590 **[Pedestrian Safety]**
Supervisors Newsom, Dufty

Resolution requesting the Department of Parking and Traffic to implement greater awareness and public outreach regarding its Pedestrian Program-Walk Safe and setting forth some recommendations to accompany this request.
4/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030591 **[National Public Safety Telecommunicators' Week]**
Supervisors Newsom, Dufty, Peskin

Resolution commending the San Francisco Emergency Communications Department, its entire dispatch team and proclaiming the week of April 13th through April 19th, 2003 as National Public Safety Telecommunicators' Week in the City and County of San Francisco.
4/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030592 **[Commend Latino Behavioral Health Planning Committee]**
Supervisors Sandoval, Dufty

Resolution commending The Latino Behavioral Health Planning Committee (LBHPC) for their dedication to providing mental health and substance abuse services to Latino communities in California.
4/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

030593 **[Status of Treasure Island Development Proposals]**
Supervisors McGoldrick, Ammiano

Hearing on the status of Treasure Island development proposals, including:

1. The basis for the selection of a developer by the Treasure Island Development Authority;
2. The adequacy of the financial return on the development to the City and County of San Francisco;
3. The risks and advantages to CCSF related to the terms of the proposed agreement;
4. Review of the financial qualifications and available capitalization of the developers to complete this major long-term development; and
5. Consideration of the adequacy of the proposed agreement to protect the interests of the citizens of San Francisco and the Bay Area.

4/8/03, RECEIVED AND ASSIGNED to Land Use Committee.

Motions

030564 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

4/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030579 **[Amend Rule 6.2 - Board of Committee Meetings]**
Supervisor Gonzalez

Motion amending Rule 6.2 of the Rules of Order of the Board of Supervisors to provide that neither the Board of Supervisors nor any of its Committees shall convene regularly scheduled meetings during the week of the first Tuesday of each month.

4/8/03, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests that Files 030578, 030579, and 030580 be calendared at the same date.

030580 **[Amend Rule 4.34 - Supervisors Vote and Roll Call]**
Supervisor Gonzalez

Motion amending Rule 4.34 of the Rules of Order of the Board of Supervisors to provide that the first Supervisor to be called on a vote shall be the same Supervisor who is called first on Roll Call under Rule 3.9.

4/8/03, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests that Files 030578, 030579, and 030580 be calendared at the same date.

030583 **[Release of Reserved Funds, Airport Commission]**
Supervisors Dufty, Newsom

Motion releasing the $5 million Airport Development Bureau allocation for Fiscal Year 2002-03 being held in reserve.
4/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

030475 **[Settlement of Lawsuit - Sohail Ali, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Sohail Ali against the City and County of San Francisco for $47,500; the lawsuit was filed on April 29, 2002 in San Francisco Superior Court, Case No. 407-277; entitled Sohail Ali, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)
3/27/03, RECEIVED AND ASSIGNED to Rules Committee.

030500 **[Settlement of Lawsuit - Poppie Kouremetis]**
Ordinance authorizing the City Attorney to make an offer of judgment under Federal Rule of Civil Procedure 68 of up to $75,000 in settlement of damages, attorneys' fees, and costs in the matter of Kouremetis and County of San Francisco. The lawsuit was filed on May 13, 2002, in San Francisco Superior Court, Case No. 407852 entitled Kouremetis v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)
3/27/03, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

030501 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice]**
Supervisors Dufty, Ma, Newsom

Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend supplemental grant funding in the amount of $10,000 for Federal FY 1999 and a grant amount of $14,655 for Federal FY 2002 from the U.S. Department of Justice under the Bulletproof Vest Partnership Act to equip law enforcement officers in the Sheriff's Department, Police Department and the Office of the District Attorney with armor vests. (Mayor)

(No Public Benefit Recipient.)
3/26/03, RECEIVED AND ASSIGNED to City Services Committee. Department requests this item be scheduled for consideration as soon as possible.
Supervisor Dufty requested to be added as sponsor.
Supervisor Ma requested to be added as a co-sponsor.

030504 **[Accept-Expend Federal Grant - Project Sentry]**
Supervisors Dufty, Ma, Newsom

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $400,000 through the United States Department of Justice, Bureau of Justice Assistance, for a project entitled "Project Sentry", and waiving indirect costs due to funding constraints. (District Attorney)

(No Public Benefit Recipient.)
3/26/03, RECEIVED AND ASSIGNED to City Services Committee.
Supervisor Dufty requested to be added as sponsor.
Supervisor Ma requested to be added as a co-sponsor.

030505 **[Outreach Advertising]**
Resolution designating the Asian Week to be outreach newspaper of the City and County of San Francisco for the Chinese community for outreach advertising for the fiscal year commencing July 1, 2003 and ending June 30, 2004. (Purchaser)

(Fiscal impact; No Public Benefit Recipient.)
3/31/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030506 **[Official Advertising]**
Resolution designating the San Francisco Independent to be the official newspaper of the City and County of San Francisco for the category of Type 2 non-consecutive day official advertising, for the fiscal year commencing July 1, 2003 and ending June 30, 2004. (Purchaser)

(Fiscal impact; No Public Benefit Recipient.)
3/31/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030507 **[AIDS Prevention Studies in Africa]**
Supervisors Dufty, Ma, Newsom

Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH, AIDS) to enter retroactively into an agreement with the Regents of the University of California San Francisco (UCSF), the primary contractor, to accept and expend funds in the amount of $11,652 to participate in AIDS prevention studies in Africa, for the period of January 1, 2003 to December 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)
3/31/03, RECEIVED AND ASSIGNED to City Services Committee.
Supervisor Dufty requested to be added as sponsor.
Supervisor Ma requested to be added as a co-sponsor.

030512 **[Accept-Expend Federal Grant - Department of Children, Youth and Their Families]**
Supervisors Dufty, Ma, Newsom, Daly

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of $300,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) that targets Vietnamese and Central American newcomer girls between the ages of 0 to 18 in the Tenderloin and Mission neighborhoods. (Mayor)

(No Public Benefit Recipient.)
3/25/03, RECEIVED AND ASSIGNED to City Services Committee.
Supervisor Dufty requested to be added as sponsor.
Supervisors Ma and Newsom requested to be added as co-sponsors.

030513 **[Accept-Expend Federal Grant - Department of Children, Youth and Their Families]**
Supervisors Dufty, Ma, Newsom

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of three hundred and fifty thousand dollars ($350,000) from the United States Department of Justice, Office of Justice Programs, Violence Against Women Office for Safe Havens: Supervised Visitation and Safe Exchange Program. (Mayor)

(No Public Benefit Recipient.)
2/25/03, RECEIVED AND ASSIGNED to City Services Committee.
Supervisor Dufty requested to be added as sponsor.
Supervisors Ma and Newsom requested to be added as co-sponsors.

Requests Granted

From: Supervisor Sandoval
To: Department of Parking and Traffic
Requesting/Inquiring: Inquiring about the timeline for permanently painting in "STOP" signs and crosswalks on Ocean Avenue from Harold Street to Ashton Street. There are crosswalks and STOP signs currently marked on the street but are not clearly visible to motorists.

From: Supervisor Sandoval
To: City Attorney
Requesting/Inquiring: To draft legislation allowing women who are 8 months pregnant and people who have infants up to three months old to be eligible to receive handicap parking permits.

From: Supervisor Newsom
To: Mario Trevino, Fire Chief
San Francisco Fire Department

Alex Fagan, Acting Chief of Police
San Francisco Police Department

Dan Sullivan, Acting Director
Emergency Communications Department

Lou Canton, Director
Office of Emergency Services

Requesting/Inquiring: Inquiring of any current or planned activities to apply for the 2003 Homeland Security Grant awards for the current funding cycle.

From: Supervisors Dufty, Peskin, McGoldrick, Maxwell, Ammiano, Ma, Newsom
To: Controller
Requesting/Inquiring: To prepare a Supplemental Appropriations Ordinance transferring $2.5 million from the Department of Building Inspection to the Planning Department for items including but not limited to the implementation of the CEQA process for community-based planning initiatives such as conducting Environmental Impact Reports and for additional staffing; and requesting that DBI cooperate with this request by providing all necessary financial information.

From: Supervisor Newsom
To: City Attorney
Requesting/Inquiring: To draft legislation to create a review and approval procedure for all sole source contracts with the City. This legislation should incorporate the recommendations made by the Office of the Controller, to include the following:
Legally define "sole source contract" in the Administrative Code.
Modify existing databases by establishing a new database to centralize and track information on sole source contracting and allow for reporting on these contracts.
Improve contract wording to be clear about the term of the contract so those contracts cannot be repeatedly renewed or reestablished without a new competitive process.
Enhance the Sunshine Ordinance to require reports from all departments annually on all existing, not just new, sole source contracts and direct the Clerk of the Board of Supervisors to report on departmental compliance with this requirement.
Discontinue directing funds toward specific City contracts or contractors through the oddback process

including halting additional money to existing contracts and no longer earmarking funds for specific new contractors. The Board of Supervisors may appropriately allocate non-profit organizations by budgeting those funds to departments that will administer the funds through the proper competitive solicitation processes.

In Memoriams

Edward C. Strain (Supervisors Ammiano, Dufty)
Kenneth M. Sullivan (Supervisor Dufty)
Rose Marie O'Connor (Supervisor Dufty)
William Sennett (Supervisor Gonzalez)
Florian McGuire Moore (Supervisor Newsom)
Kathleen Carlin (Supervisor Newsom)

ADJOURNMENT

There being no further business, the Board at the hour of 7:20 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 6, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

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Tuesday, April 15, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair. Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:00 p.m. On the call of the roll, the following Supervisors were noted absent.

Supervisors Dufty, Sandoval and Ma - 3

Supervisors Dufty and Sandoval were noted present at 2:01p.m.

Quorum present.

Supervisor Ma was excused from attending today's meeting. (See Infra)

Supervisor Ma Excused from Attendance

Supervisor Newsom, seconded by Supervisor Peskin, moved to excuse Supervisor Ma from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Newsom, moved to approve March 25, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

Privilege of the Floor

Supervisor Newsom, seconded by Supervisor Daly, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant the privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

Supervisor Newsom introduced, welcomed and presented Certificates of Honor to the Emergency Communications Department, Dispatch Unit.

CONSENT AGENDA

Recommendations of the Finance and Audits Committee

030478 **[Settlement of Lawsuit - Heller Ehrman White & McAuliffe LLP]**
Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by Heller Ehrman White & McAuliffe LLP, a Limited Liability Partnership, and Heller Ehrman White & McAuliffe, a California Professional Corporation, against the City and County of San Francisco for $153,000.00; the lawsuit was filed on May 16, 2001 in San Francisco Superior Court, Case No. 321-383; entitled Heller Ehrman White & McAuliffe LLP, et al., v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

030479 **[Settlement of Lawsuit - CNET Networks, Inc.]**
Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by CNET Networks, Inc., against the City and County of San Francisco for $137,541.00; the lawsuit was filed on July 5, 2002 in San Francisco Superior Court, Case No. 409-891; entitled CNET Networks, Inc. v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

030480 **[Settlement of Lawsuit - Freeman Decorating Co. and TFC Management, Inc.]**
Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by Freeman Decorating Co. and TFC Management, Inc., against the City and County of San Francisco for $37,500.00; the lawsuit was filed on April 27, 2001 in San Francisco Superior Court, Case No. 320-869; entitled Freeman Decorating Co., et al., v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

030481 **[Authorization to make a binding settlement offer - Federated Western Properties, Inc.]**
Supervisor Gonzalez

Ordinance authorizing the City Attorney to make an offer to allow judgment pursuant to California Code of Civil Procedure Section 998 in Macy's West, Inc.; Federated Western Properties, Inc. (successor in interest to Broadway Stores, Inc., dba Macy's); Federated Systems Group, Inc.; Macy's.com, Inc. v. City and County of San Francisco San Francisco Superior Court No. 313930, for a total amount not to exceed $3,300,000.00; and in no event any amount that would create liability to the City pursuant to the Most Favored Nations Clause in the General Motors Corporation v. City and County of San Francisco San Francisco Superior Court No. 301510 (Court of Appeal No. A091914) and Eastman Kodak Company v. City and County of San Francisco San Francisco Superior Court No. 302983 (Court of Appeal No. A091910) ("GM cases") Settlement Agreements.

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

030398 **[Lease of Real Property]**
Resolution approving and authorizing a lease between the City and County of San Francisco, as lessee, and Mannar Investment Company, a California Limited Partnership, as lessor, of warehouse space at 2348 Jerrold Avenue, San Francisco. (Real Estate Department)

(Public Benefit Recipient; District 10.)

Resolution No. 241-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

Recommendations of the City Services Committee

030387 **[Center for AIDS Prevention Studies]**
Supervisors Dufty, Ma, Newsom

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $10,640 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to provide primary scientific oversight of activities for projects in Africa of the Center for AIDS Prevention Studies, for the period of September 1, 2002, to August 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 239-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

030388 **[AIDS-related training package]**
Supervisors Dufty, Ma, Newsom

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $37,929 with The Regents of the University of California San Francisco (UCSF), the primary contractor to collaborate in developing, testing. evaluating, and refining an AIDS-related training package, for the period of July 1, 2002, to June 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 240-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

030405 **[Accept-Expend Grant for Sunol Valley Fluoridation Facility]**
Resolution authorizing the Public Utilities Commission to accept and expend a grant in the amount of $250.000 from the California Dental Association Foundation, Inc. for the design and construction of the Sunol Valley Fluoridation Facility. (Public Utilities Commission)

(No Public Benefit Recipient.)

Resolution No. 242-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

Recommendations of the Land Use Committee

030287 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "S" (TWO-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
20th Street, both sides, between Church and Sanchez Streets (3900 block).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Fell Street, south side. from 167.5 feet to 171 feet west of Divisadero Street (in front of 1217 - 1221 Fell Street. accommodates one unmetered motorcycle parking stall) (Parking and Traffic Department)

(2/20/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2579; No Public Benefit Recipient.)

Resolution No. 235-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

030288 **[STOP Intersections]**
Supervisor Newsom

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
24th and Tennessee Streets, stopping 24th Street at Tennessee Street;
18th and Danvers Streets, stopping Danvers Street, making this intersection an all-way STOP;
Gough Street at Francisco Street, stopping at Gough Street, making this intersection an all-way STOP;
Octavia Street at Francisco Street, stopping Octavia Street, making this intersection an all-way STOP; and
Alhambra, Francisco and Scott Streets, stopping Scott Street, making this intersection an all-way STOP.
(Parking and Traffic Department)

(2/20/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2579; No Public Benefit Recipient.)

Supervisor Newsom requested to be added as sponsor.

Resolution No. 236-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

Recommendations of the Rules Committee

030322 **[Settlement of Lawsuit - Maxuman Lamar Chenier]**
Ordinance authorizing settlement of the lawsuit filed by Maxuman Lamar Chenier against the City and County of San Francisco for $237,500; the lawsuit was filed on August 14, 2000 in San Francisco Superior Court, Case No. 314357; entitled Maxuman Lamar Chenier v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 74-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

030324 **[Appointment]**
Resolution appointing Charles Striplen, term ending April 21, 2004 to the San Francisco Museum and Historical Society Advisory Committee. Residency requirement waived.

Charles Striplen, (residency requirement waived), new position, seat 3, the Community Representative must be a member from organizations or communities with extensive knowledge of the history or cultural traditions of an ethnic minority community within San Francisco with a focus on ancestral lineage or other historical and cultural links to the San Francisco Bay area, for a one year term ending April 21, 2004.

Resolution No. 248-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

030344 **[Settlement of Claim - Kristina Wuslich]**

Resolution approving the settlement of the unlitigated claim filed by Kristina Wuslich against the City and County of San Francisco for $250,000; claim was filed on June 14, 2002. (City Attorney)

(Public Benefit Recipient.)

Resolution No. 238-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

Severed from Consent Agenda

Supervisor Sandoval requested that this matter be severed so that it could be considered separately.

030407 **[Expand behavioral health services system of care for children and youth in San Francisco]**
Supervisors Dufty, Ma, Newsom

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $1,000,000 for the first year of a six year grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) to establish a comprehensive system of behavioral health services to children and youth in San Francisco and to enter into an agreement for the use of these funds; for the period of September 30, 2002 to September 29, 2003. (Public Health Department)

(Public Benefit Recipient.)

Resolution No. 231-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

030549 **[Adopting findings related to the conditional use appeal on property located at 1193 Oak Street]**
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.1007C (which allowed the establishment of a bed and breakfast inn with five guestrooms within the existing second floor dwelling unit of a building located in an RM-2 District and a 40-X Height and Bulk District) for property located at 1193 Oak Street (Lot 023 in Assessor's Block 1218). (Clerk of the Board)

(Companion measure to Files 030253, 030254; 030255; 030256.)

Motion No. M03-66
APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

Recommendations of the Budget Committee

030352 **[Parking Meter Rates]**
Mayor, Supervisor Gonzalez

Ordinance approving parking meter rates. (Mayor)

(No Public Benefit Recipient.)

Ordinanee No. 71-03
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

030424 **[Establishing parking violation and late payment penalties]**
Supervisor Gonzalez

Ordinance amending the San Francisco Traffic Code by amending Sections 130 and 131 and adding Section 132 to establish fines for parking violations and late payment penalties. (Budget Committee)

(Supervisor Daly dissenting in Committee)

Ordinance No. 72-03
FINALLY PASSED by the following vote:
Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Maxwell, Newsom, Peskin, Sandoval
Noes: 2 - Daly, McGoldrick
Excused: 1 - Ma

Recommendations of the Rules Committee

022027 **[Conflict of Interest Code Amendments]**
Supervisor Gonzalez

Ordinance amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-135, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-230, 3.1-240, 3.1-245, 3.1-250, 3.1-260, 3.1-265, 3.1-270, 3.1-275, 3.1-310, 3.1-315, 3.1-320, 3.1-335, 3.1-345, 3.1-350, 3.1-360, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-430, 3.1-435, and 3.1-445; deleting section 3.1-330 of the Campaign and Governmental Conduct Code; and adding sections 3.1-169 and 3.1-225 to the Campaign and Governmental Conduct Code to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure requirements.

Ordinance No. 73-03
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

030343 **[Settlement of Lawsuit - SamTrans/Tanforan]**
Supervisor Gonzalez

Ordinance approving settlement of litigation of San Mateo County Transit District against City and County of San Francisco for total value of $2,544,500. (City Attorney)

(No Public Benefit Recipient.)

Supervisor Gonzalez requested to be added as sponsor.

Ordinance No. 75-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

NEW BUSINESS

Recommendation of the Budget Committee

030416 **[Funding for lease financing of two asphalt storage silos]**
Supervisors Peskin, Gonzalez, Daly, Maxwell

Ordinance appropriating $2,155,617 of lease financing revenues to construct two asphalt storage silos for the Department of Public Works for fiscal year 2002-03; and declaring the City's intent to reimburse itself for such appropriations from the proceeds of a lease-purchase financing. (Mayor)

(Fiscal impact.)

Supervisor Peskin requested to be added as sponsor.
Supervisors Gonzalez, Daly and Maxwell requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

Recommendations of the Finance and Audits Committee

020592 **[Modifying collection procedures for the Transit Impact, Housing, Child Care, Park and Inclusionary Housing Fees by transferring responsibility for collection and enforcement to the Treasurer]**
Supervisors Peskin, McGoldrick, Daly, Maxwell

Ordinance (1) amending the Planning Code by amending Sections 139, 313.1, 313.4, 313.5, 313.6, 313.7, 313.8, 313.9, 313.10, 314.1, 314.4, 314.5, 315.3 and 315.6 to transfer collection authority for in lieu fees collected for the Park Fund, the Jobs-Housing Linkage Program, Child Care Requirement and the Inclusionary Affordable Housing Program from the Controller to the Treasurer and conform collection procedures for these fees, and require that funds from the Child Care Capital Fund and the Downtown Park Fund be used to fund nexus studies for the Downtown Park Fee and the Child Care Fee; and (2) amending the Administrative Code by amending Sections 38.1, 38.3, 38.4, 38.5, 38.6, 38.8, 38.8.5, 38.9, 38.10, 38.11 and 38.45 to transfer collection of the Transit Impact Development Fee from the General Manager of the Public Utilities Commission to the Treasurer and conform collection and enforcement procedures for the fee.

Amended on page 5, line 23 by deleting "housing".

AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

Supervisors McGoldrick, Daly and Maxwell requested to be added as co-sponsors.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

030212 **[2003 Annual Fundraising Drive]**

Resolution designating those agencies qualified to participate in the 2003 Annual Joint Fundraising drive for officers and employees of the City and County of San Francisco.

Resolution No. 234-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

Recommendation of the City Services Committee

030030 **[Liquor License, 1695 Polk Street]**

Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license to Patrick Gilles, Steve Bowman and Jay Seigan for "Red Devil Lounge" located at 1695 Polk Street (District 3), in exchange for its current Type 47 on-sale general eating place license, will serve the convenience of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code; with conditions.

Resolution No. 232-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

Recommendations of the Land Use Committee

021854 **[Construction Site Sign Requirements]**

Supervisors Peskin, Gonzalez

Ordinance amending the San Francisco Traffic Code Section 33.1 and Public Works Code Section 724.3 relating to sign and placard requirements at construction sites.

Supervisor Gonzalez requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

030207 **[2161 Sutter Street - Zoning Map Change]**

Ordinance amending the San Francisco Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property described as Assessor's Block 0682, Lot 005, approximately 5,156 square feet in area, from an NC-2 (Small-Scale Neighborhood Commercial) District to an RM-3 (Residential, Mixed, Moderate Density) District and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

(Planning Commission Resolution No. 16514 adopting the proposed Planning Code and Zoning Map amendments on January 23, 2003; Motion No. 16515 approving Conditional Use Application No. 2001.1058C on January 23, 2003; Final Mitigated Negative Declaration adopted and issued on July 12, 2002; No Public Benefit Recipient).

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

030274 **[Parking Regulations - Portions of Vallejo Street, between Stockton and Powell Streets]**
Ordinance adding Section 32.6.35 to the San Francisco Traffic Code restricting parking on portions of Vallejo Street, between Stockton and Powell Streets to marked police vehicles only for San Francisco Police Department's Central Station. (Parking and Traffic Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

030289 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

NO TURN ON RED, 6 AM to 8 PM, DAILY - ESTABLISH
Drumm Street, southbound, at Sacramento Street. (Parking and Traffic Department)

(2/20/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2579; No Public Benefit Recipient.)

Resolution No. 237-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

COMMITTEE REPORTS

From the Rules Committee

030191 **[Confirming the re-appointment of Michael Hardeman to the San Francisco Port Commission]**
Mayor

Resolution confirming the appointment of Michael Hardeman to the San Francisco Port Commission for a four-year term ending May 1, 2006. (Mayor)

Resolution No. 233-03
ADOPTED by the following vote:
Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Sandoval
Noes: 2 - Daly, Peskin
Excused: 1 - Ma

From the City and School District Select Committee

030354 **[Public Education Special Fund]**
Supervisors Daly, Ma, Dufty

Ordinance adding Administrative Code Section 10.100-367 to establish the "Public Education Special Fund."

Continued to April 22, 2003

Supervisor Dufty requested to be added as a co-sponsor.

Supervisor McGoldrick, seconded by Supervisor Hall, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Ma

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; Against the Iraq war
Slyvia Johnson; general issues
James Chaffee; SF Library issues
Francisco DiCosta; Hunter's Point issues
Nancy Berkin; support to send File 030583 Release of Reserve for Airport to Finance Committee
Eileen Voken; support to send File 030583 Release of Reserve for Airport to Finance Committee
Richard Zimmerman; support to send File 030583 Release of Reserve for Airport to Finance Committee
Hap Hepplefinger; support to send File 030583 Release of Reserve for Airport to Finance Committee
Don Forman; support to send File 030583 Release of Reserve for Airport to Finance Committee
Joe Wilson; Coleman Advocates 1000 Kid March
Female Speaker; support to send File 030583 Release of Reserve for Airport to Finance Committee
Jeremy Bui; support to send File 030583 Release of Reserve for Airport to Finance Committee
Female Speaker; support to send File 030583 Release of Reserve for Airport to Finance Committee
Female Speaker; support to send File 030583 Release of Reserve for Airport to Finance Committee
Lawrence Seigel; support to send File 030583 Release of Reserve for Airport to Finance Committee
Evelyn Simpson; support to send File 030583 Release of Reserve for Airport to Finance Committee
Male Speaker; support to send File 030583 Release of Reserve for Airport to Finance Committee
Andy Gross; support to send File 030583 Release of Reserve for Airport to Finance Committee
Male Speaker, Sierra Club; support to send File 030583 Release of Reserve for Airport to Finance Committee
Espanola Jackson; Hunter's Point issues, Prop P.
Andrew Bozeman; Hunter's Point issues
Tom McDonagh; Airport issues
Vernon Jenkins; general issues

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 32 through 43

030584 **[National Professional Social Worker Month]**
Supervisors Ammiano, Sandoval, Dufty, Peskin, Daly

Resolution honoring National Professional Social Worker Month.

Supervisors Peskin and Daly requested to be added as co-sponsors.

Resolution No. 243-03
ADOPTED

030585 **[Ethics Commission - Screening, Ethics Training and Policies]**
Supervisors Ammiano, Peskin, Daly, McGoldrick

Resolution urging the Ethics Commission to conduct a public hearing and develop and present to the Mayor, the Board of Supervisors and other City elective officeholders recommended procedures for: screening applicants to City commissions and for at-will employment; training City commissioners and staff regarding City conflict-of-interest and Sunshine requirements; and additional policies to maintain ethical conduct.

Supervisors Peskin, Daly and McGoldrick requested to be added as co-sponsors.

Resolution No. 250-03
ADOPTED

030586 **[Transition Management]**
Supervisors Ammiano, McGoldrick

Resolution requesting that the City Attorney develop proposed transition management plans for City elective offices.

Supervisor McGoldrick requested to be added as a co-sponsor.

Resolution No. 251-03
ADOPTED

030587 **[Strategies for Homeless Individuals with Mental Health and Dual Diagnoses]**
Supervisors Ammiano, Dufty, Daly, McGoldrick

Resolution urging the Director of Public Health, in consultation with community organizations, to develop a report addressing "Comprehensive Strategies to Serve Homeless Individuals with Mental Health Diagnoses, Substance Abuse Diagnoses and Chronic Medical Conditions."

Supervisors Daly and McGoldrick requested to be added as co-sponsors.

Resolution No. 252-03
ADOPTED

030589 **[Use of the City Flag in "The Flags of California" Publication]**
Supervisor Gonzalez

Resolution granting permission to Historian Stan Mottaz to use the Flag of the City and County of San Francisco in his forthcoming book, entitled "The Flags of California."

Resolution No. 244-03
ADOPTED

030590 **[Pedestrian Safety]**
Supervisors Newsom, Dufty

Resolution requesting the Department of Parking and Traffic to implement greater awareness and public outreach regarding its Pedestrian Program-Walk Safe and setting forth some recommendations to accompany this request.

Resolution No. 245-03
ADOPTED

030591 **[National Public Safety Telecommunicators' Week]**
Supervisors Newsom, Dufty, Peskin

Resolution commending the San Francisco Emergency Communications Department, its entire dispatch team and proclaiming the week of April 13th through April 19th, 2003 as National Public Safety Telecommunicators' Week in the City and County of San Francisco.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 246-03
ADOPTED

030592 **[Commend Latino Behavioral Health Planning Committee]**
Supervisors Sandoval, Dufty

Resolution commending The Latino Behavioral Health Planning Committee (LBHPC) for their dedication to providing mental health and substance abuse services to Latino communities in California.

Resolution No. 247-03
ADOPTED

030564 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M03-67
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

Supervisor Peskin, seconded by Supervisor Daly, moved to suspend Rule 2.11 of the Rules of Order of the Board of Supervisors.
Motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

Severed from Without Reference to Committee

Supervisor Newsom requested that this matter be severed so that it could be considered separately.

030530 **[CEDAW Gender Analysis]**

Supervisors Newsom, Ma, Dufty, Sandoval, Daly

Resolution urging City Departments to consider a CEDAW gender analysis prior to proposing departmental budget and/or staff cuts.

Supervisor Newsom, seconded by Supervisor Peskin, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

Resolution urging City Departments to consider a CEDAW gender analysis and impact on the City's Equal Access to City Services For Limited English Speakers Ordinance prior to proposing departmental budget and/or staff cuts.

Supervisors Sandoval and Daly requested to be added as co-sponsors.

Resolution No. 249-03

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

Supervisor Daly requested that this matter be severed so that it could be considered separately.

030588 **[Pursuit of federal and state charges]**

Supervisor Hall

Resolution urging the District Attorney and City Attorney to explore with Federal and State legal authorities the possibility of pursuing Racketeer Influenced and Corrupt Organizations Act (RICO) charges and any other federal or state violations against the organizers of the March 20th protests and subsequent days in the City and County of San Francisco.

Supervisor Daly requested this matter be referred to Committee.

REFERRED to the City Services Committee.

Supervisor Dufty requested that this matter be severed so that it could be considered separately.

030583 **[Release of Reserved Funds, Airport Commission]**
Supervisors Dufty, Newsom

Motion releasing the $5 million Airport Development Bureau allocation for Fiscal Year 2002-03 being held in reserve.

Supervisor Dufty, seconded by Supervisor Newsom, moved to continue this matter to April 29, 2003. (No vote was taken.)

Supervisor Daly, seconded by Supervisor Ammiano, moved to table this matter.

TABLED by the following vote:

Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Dufty, Gonzalez, Hall, Newsom
Excused: 1 - Ma

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

021598 **[Secondary Units]**
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by repealing Section 207.2 [Second Units] in its entirety, adding a new Section 207.2, and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area within an existing structure on a lot within 1250 feet of a Primary Transit Street or Transit Center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, on a lot containing a qualified historical building or where the unit is specifically designed and constructed for the elderly or persons with physical disabilities, to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance, and providing that the secondary unit shall not be subject to the Rent Ordinance but requiring that a secondary unit in a multi-family building shall be subject to affordability requirements; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space and parking required for these secondary units; and by amending the San Francisco Traffic Code by adding Section 308.5.1 to prohibit issuance of a residential parking permit to the occupant of a secondary unit; by adding new Section 106.4.1.3 to the San Francisco Building Code to require site inspection prior to issuance of a building permit for the secondary unit to verify that no unpermitted unit exists on the property and prohibiting the issuance of a building permit or certificate of occupancy for the second unit if an unpermitted unit has operated on the property within the previous ten years, unless that unit was legally demolished prior to January 1, 2003; and by amending Section 37.9 of the San Francisco Administrative Code to require relocation assistance for persons required to vacate illegal units; and adopting findings.

9/23/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 10/23/2002.

11/20/02, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

4/15/03, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

4/15/03, ASSIGNED to Land Use Committee.

030609 **[Appropriate funding from the sale of certificates of participation for the Juvenile Hall Reconstruction Project]**
Mayor

Ordinance appropriating $45,000,000 from the sale of certificates of participation by the Mayor's Office of Criminal Justice to fund the Juvenile Hall Reconstruction Project for fiscal year 2002-03, placing $545,000 on reserve. (Mayor)

4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030610 **[Public Works Code Amendment - Flower Stand Permits]**
Supervisor Sandoval

Ordinance amending Sections 155, 157, 159 and 161 of the Public Works Code and adding Sections 155.1, 157.1, 157.2, and 157.3 to the Public Works Code to increase quarterly permit fees for flower stand operators from $100 to $200, and from $30 to $60 per employee; require the Treasurer/Tax Collector to collect delinquent permit fees; require permittees to register with the City as businesses; require permittees to maintain records of all sales; require permittees to display permit and business license; require permittees to submit annual information to the Director of Public Works; prohibit the sale, assignment, lease, transfer, and inheritance of permits; repeal the durational residency requirement for permittees; eliminate flower stand location at Fifth and Market Streets; require the Director of Public Works to recommend the designation of six additional flower stand locations; reissue existing permits according to a process that includes a preference for existing permittees, disabled persons, and low-income persons; provide a similar process for issuing permits as they become available for issuance; provide that permits expire on the death of the permittee or with a substantial change in ownership of the firm, corporation, or entity holding the permit; and limit permits to ten-year terms.
4/15/03, RECEIVED AND ASSIGNED to City Services Committee.

030617 **[Funding for the SFPUC Capital Improvement Program, Fiscal Year 2002-03]**
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance appropriating $66,075,000 of funding from the sale of commercial paper for capital projects and financing costs pursuant to the San Francisco Public Utilities' Commission Capital Improvement Program for fiscal year 2002-03. (Mayor)

(No Public Benefit Recipient.)
4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030618 **[Funding for the SFPUC Capital Improvement Program, Fiscal Year 2002-03]**
Mayor, Supervisor Daly

Ordinance appropriating $52,357 from the Water Revenues and Water Capital Projects for six positions (0.462 FTEs) to implement the San Francisco Public Utilities Commission's Capital Improvement Program fiscal year 2002-03. (Mayor)

(No Public Benefit Recipient; Companion measure to File 030642.)
4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030620 **[Waiver of storage fees for stolen vehicles owned by residents]**
Mayor

Ordinance repealing San Francisco Municipal Administrative Code Section 10C.8-1, providing for waiver of vehicle storage fees for vehicles reported stolen, which are owned by residents of the City and County of San Francisco. (Mayor)
4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

030621 **[Board of Appeals - Fees]**
Mayor, Supervisor Daly

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Section 8 to increase the fees charged by the Board of Appeals and making environmental findings. (Mayor)
4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

030622 **[Approving Discovery Fees]**
Mayor, Supervisor Daly

Ordinance approving a fee schedule for discovery costs charged by the San Francisco District Attorney's office. (Mayor)
4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

030623 **[Amending Section 106 of the San Francisco Fire Code to Increase Fees For Services]**
Mayor, Supervisor Daly

Ordinance amending Section 106 of the San Francisco Fire Code to increase fees for Fire Department services, to become operative on its effective date or on July 1, 2003 whichever is later. (Mayor)
4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

030624 **[Setting fees for emergency medical services provided by the Fire Department, granting authority to Fire Department to bill for such costs, and setting forth procedures]**
Mayor, Supervisor Daly

Ordinance amending San Francisco Health Code by repealing Section 117 as obsolete; amending San Francisco Health Code Sections 119, 120, 123, 124.1 and 124.5 to: (1) delete reference to Section 117 and add reference to Sections 128 and 128.1, (2) authorize the San Francisco Fire Department to bill for fees for emergency medical services, (3) authorize the San Francisco Fire Department to investigate the ability of patients to pay for the costs of emergency medical services, (4) include the San Francisco Fire Department as a Department for which it is a crime to conceal the ability to pay, (5) include reference to the San Francisco Fire Department in section regarding prima facie evidence of reasonableness of the fees, and (6) provide for a lien on third-party proceeds for costs of San Francisco Fire Department emergency medical services; and amend San Francisco Health Code by adding Section 128.1 to set fees for emergency medical services and supplies provided by the San Francisco Fire Department and to provide for annual increase in fees based on Medical Consumer Price Index. (Mayor)
4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

030625 **[Increasing the Alemany Flea Market Daily Stall Fee]**
Mayor, Supervisor Daly

Ordinance amending Section 9B.5 of the San Francisco Administrative Code by increasing the daily fee for a stall at the Alemany Flea Market from $30 per stall to $45 per stall. (Mayor)

(No Public Benefit Recipient.)
4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

030626 **[Recreation and Parks - Fees]**
Mayor, Supervisor Daly

Ordinance making environmental findings and amending the San Francisco Park Code by amending Section 12.08 to increase parking charges on Recreation and Park property; amending Section 12.09 to increase the fees for the carrousel; amending Section 12.15 to increase the fees for day camps; adding Section 12.29 to increase the fees for use of the photography center, adding Section 12.30 to increase the fees for participation in the latch key program, adding Section 12.31 requiring field trip reimbursements, adding Section 12.32 to increase the fee for resident golf cards, and adding Section 12.33 to increase fees for golf cart rental and driving range balls. (Mayor)
4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

030627 **[Treasurer's charge for returned checks]**
Mayor, Supervisor Daly

Ordinance amending Administrative Code Section 10.13-1, to provide that the Treasurer may charge $35.00 for each check returned to the City without payment. (Mayor)
4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

030628 **[Making Environmental Findings and Increasing Fees Charged for Inspection and Certification of Agriculture Products]**
Mayor, Supervisor Daly

Ordinance making environmental findings and amending the San Francisco Administrative Code to increase the fees charged by the Department of Consumer Assurance for inspection and certification of agriculture products prior to shipment. (Mayor)
4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

030631 **[Competitive Bid and Prevailing Wage Exemption for Job Training Program - San Francisco Conservation Corps]**
Supervisor Maxwell

Ordinance exempting the San Francisco Conservation Corps from the prevailing wage requirements and waiving the competitive bid requirements for the Recreation and Park Commission's award of a contract for construction of playgrounds, restoration of natural areas and implementation of erosion control measures in San Francisco parks.
4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030633 **[Giving the Executive Director of the Department of Parking and Traffic the authority to promulgate regulations regarding parking revenue]**
Supervisor Peskin

Ordinance amending Section 4910 of the Police Code to vest authority to promulgate regulations regarding parking revenue in the Executive Director of the Department of Parking and Traffic, instead of in the Tax Collector.
4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030637 **[Extending Redevelopment Agency's Times for Incurring and Repaying Debt]**
Mayor

Ordinance approving, for the redevelopment plans listed below, the elimination of the existing time limits in each plan for establishment of loans, advances and indebtedness: (1) the Western Addition Area A-2 Redevelopment Plan, (2) the Yerba Buena Center Redevelopment Plan, (3) the Rincon Point - South Beach Redevelopment Plan, and (4) the Embarcadero-Lower Market (Golden Gateway) Redevelopment Plan. (Mayor)
4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030638 **[Central Freeway Replacement Project]**
Supervisors Gonzalez, Ammiano, Peskin, Daly, McGoldrick

Ordinance amending the San Francisco Administrative Code by adding Section 10.19-5 to appropriate revenues for the Central Freeway Replacement Project to the San Francisco County Transportation Authority as fiscal agent for the Project, to set conditions for the use of the funds, and to direct the City Controller to transfer the revenues.
4/15/03, RECEIVED AND ASSIGNED to Rules Committee.

030642 **[Public Employment - PUC]**
Mayor, Supervisor Daly

Ordinance amending Ordinance No. 175-02 (Annual Salary Ordinance 2002/23) reflecting the creation of six positions (0.462 FTEs) at the San Francisco Public Utilities Commission for the Capital Improvement Program fiscal year 2002/03. (Mayor)

(No Public Benefit Recipient; Companion measure to File 030618.)
4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

030588 **[Pursuit of federal and state charges]**
Supervisor Hall

Resolution urging the District Attorney and City Attorney to explore with Federal and State legal authorities the possibility of pursuing Racketeer Influenced and Corrupt Organizations Act (RICO) charges and any other federal or state violations against the organizers of the March 20th protests and subsequent days in the City and County of San Francisco.
4/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
4/15/03, REFERRED to City Services Committee. Supervisor Daly requested this matter be referred to Committee.
4/15/03, REFERRED to City Services Committee.
REFERRED to the City Services Committee.

030629 **[United Nations Plaza]**
Supervisor Daly

Approving Accepting the final report of the U.N. Plaza Working Group, urging that the Art Commission, Planning Commission, DPW, Mayor's Office, and BART take steps to act on implement the report
4/15/03, RECEIVED AND ASSIGNED to Land Use Committee.

030630 **[PUC Commercial Paper Issuance]**
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom

Resolution approving the issuance of not to exceed $250,000,000 aggregate principal amount outstanding at any one time of the San Francisco Public Utilities Commission Commercial Paper Notes (Water Series) pursuant to Article V of Chapter 43 of Part 1 of the San Francisco Municipal Code for the purpose of financing certain capital improvements related to the water enterprise; approving the maximum interest rate thereon; and related matters. (Mayor)

(No Public Benefit Recipient.)
4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030639 **[Federal Funding - Community Development Grant]**
Mayor

Resolution approving the 2003 Community Development Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2003 Community Development Block Grant (CDBG) entitlement from the U. S. Department of Housing and Urban Development, and Program Income of $33,542,928 which include indirect costs of $150,000, and approving expenditure schedules for recipient departments and agencies and for indirect costs. (Mayor)

(Public Benefit Recipient.)
4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030640 **[Federal Funding - Emergency Shelter Grants Program]**
Mayor, Supervisor Newsom

Resolution approving the 2003 Emergency Shelter Grants Program and Expenditure Schedule; and authorizing the Mayor on behalf of the City and County of San Francisco to accept, and expend a $867,000 entitlement under the Emergency Shelter Grants Program from the U. S. Department of Housing and Urban Development. (Mayor)

(Public Benefit Recipient.)
4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030641 **[Federal Funding - Home Program]**
Mayor, Supervisor Newsom

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the U. S. Department of Housing and Urban Development for a total amount of $8,804,657 which include indirect cost of $10,000 for the HOME Program authorized under TITLE II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the HOME Program description as described in the 2003 Action Plan for San Francisco's Consolidated Plan. (Mayor)

(Public Benefit Recipient.)
4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030080 **[People's Earth Day in San Francisco]**
Supervisors Maxwell, Dufty, Newsom

Resolution proclaiming Saturday, April 26, 2003 as "People's Earth Day Fair" Day in the City and County of San Francisco.
4/15/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030164 **[Proclaim May as American Lung Association's Clean Air Month]**
Supervisors Maxwell, Dufty, Newsom

Resolution proclaiming May 2003 as American Lung Association's Clean Air Month in the City and County of San Francisco.
4/15/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030236 **[Commend Tanya Twyman]**
Supervisors Maxwell, Newsom

Resolution commending Tanya Twyman for her commitment and dedication to childcare services throughout the City.
4/15/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030276 **[Commend Michael Tilson Thomas and the San Francisco Symphony]**
Supervisors Daly, Dufty, Peskin, Hall, Newsom

Resolution commending Michael Tilson Thomas and the San Francisco Symphony for their role as Cultural Ambassadors from the City of San Francisco representing the breadth and depth of the vitality of arts and cultural activities in the City.
4/15/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030290 **[Commend Byron Yoanidis]**
Supervisors Daly, Hall

Resolution commending Byron Yoanidis of San Francisco, for his inspirational effort and his deep commitment to help those who face homelessness and mental illness.
4/15/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030346 **[Commend Deputy City Attorney Randy Edward Riddle]**
Supervisors Ammiano, Dufty, Peskin

Resolution commending Randy Edward Riddle for 15 years of exemplary public service to San Francisco as a Deputy City Attorney in the Government Law Division of the City Attorney's Office, and wishing him well in his future endeavors as General Counsel for the California Secretary of State.
4/15/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendment

030632 **[Ballot Measures Submitted by the Board of Supervisors or its Members]**
Supervisor Newsom

Charter amendment (First Draft) to amend Sections 2.113 to provide that the Board of Supervisors must hold a hearing at least 30 days before the deadline for submission to the voters of any ordinance or declaration of policy submitted by the Board of Supervisors of four or more of its members.
4/15/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/15/2003.

Requests for Hearing

030611 **[Budget Hearings-Public Works, Transportation and Commerce]**
Supervisor Daly

Hearing to consider budget proposals for the Airport, Board of Appeals, Business and Economic Development Department, Department of Building Inspection, Department of Public Works, Emergency Communications Department, Municipal Transportation Agency, Port, Public Utilities Commission, Telecommunications and Information Services.
4/15/03, RECEIVED AND ASSIGNED to Budget Committee. The sponsor requests this item be placed on the calendar for April 21, 2003.

030612 **[Budget Hearings-Culture and Recreation]**
Supervisor Daly

Hearing to consider budget proposals for Academy of Sciences, Art Commission, Asian Art Museum, Convention Facilities Management, Fine Arts Museum, Law Library, Public Library, Recreation and Park Commission and War Memorial.
4/15/03, RECEIVED AND ASSIGNED to Budget Committee. The sponsor requests this item be placed on the calendar for May 8, 2003.

030613 **[Budget Hearings-Community Health]**
Supervisor Daly

Hearing to consider budget proposals for the Department of Public Health.
4/15/03, RECEIVED AND ASSIGNED to Budget Committee. The sponsor requests this item be placed on the calendar for April 24, 2003.

030614 **[Budget Hearings-Human Welfare and Neighborhood Development]**
Supervisor Daly

Hearing to consider budget proposals for Adult and Aging Services, Department of the Status of Women, Environment, Human Rights Commission, Human Services and Rent Arbitration Board.
4/15/03, RECEIVED AND ASSIGNED to Budget Committee. The sponsor requests this item be placed on the calendar for May 1, 2003.

030615 **[Budget Hearings-Public Protection]**
Supervisor Daly

Hearing to consider budget proposals for Adult Probation, District Attorney, Fire Department, Juvenile Probation, Medical Examiner, Police, Public Defender, Sheriff and Trial Courts.
4/15/03, RECEIVED AND ASSIGNED to Budget Committee. The sponsor requests this item be placed on the calendar for April 28, 2003.

030616 **[Budget Hearings-Children and Youth]**
Supervisor Daly

Hearing to consider (1) budget proposals for Child Support Services, Children and Families Commission, Children, Youth and Their Families and the San Francisco Unified School District; (2) recommendations of the San Francisco Youth Commission related to the budget; and (3) issues related to the Children's Baseline and activities of other departments that benefit young people.
4/15/03, RECEIVED AND ASSIGNED to Budget Committee. The sponsor requests this item be placed on the calendar for May 12, 2003.

030634 **[Proposed layoffs of cashiers and locker room attendants]**
Supervisor Ammiano

Hearing to consider proposed layoffs of cashiers and locker room attendants who work at City's pools.
4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

030636 **[Alternative activities for students]**
Supervisor Ammiano

Hearing to consider alternative activities for students who would otherwise attend Summer School, including funding scenarios and a competitive process to bid City contracts for alternative programs.
4/15/03, RECEIVED AND ASSIGNED to City and School District Select Committee.

030619 **[Release of reserved funds, Airfield Development Bureau]**
Supervisor Dufty

Motion for hearing regarding release of $3.7 million held in reserve of the Airfield Development Bureau budget allocation for Fiscal Year 2002-03.
4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030635 **[Legislative Analyst Request]**
Supervisor Hall

Motion requesting the Legislative Analyst to compare and contrast the laws, regulations, and policies of Seattle and New York City for "facilitating" mass protests.
4/15/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration April 22, 2003.

PROPOSED ORDINANCE

030539 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Alison Duthie and other plaintiffs against the City and County of San Francisco and other defendants for $175,000; the lawsuit was filed on February 15, 2000 in United States District Court, Case No. C00-0539 (MEJ); entitled Alison Duthie, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)
4/4/03, RECEIVED AND ASSIGNED to Rules Committee.

030541 **[Abolishing a portion of official sidewalk - Lyon Street south of Bay Street]**
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1559 to abolish a portion of official sidewalk on the westerly side of Lyon Street south of Bay Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk abolishment. (Public Works Department)

(No Public Benefit Recipient.)
4/4/03, RECEIVED AND ASSIGNED to City Services Committee.

PROPOSED RESOLUTIONS

030534 **[Used Oil Recycling Block Grant, 9th Cycle, Fiscal Year 2003/2004]**
Supervisors Dufty, Newsom

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $244,619.00 from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management. (Environment)

(Public Benefit Recipient.)
4/1/03, RECEIVED AND ASSIGNED to City Services Committee. Timeline request from Department: Resolution must be submitted to the California Integrated Waste Management Board by May 16th, 2003 to secure grant funds.

030535 **[State Grant for Enforcing Proper Disposal of Waste Tires]**
Supervisor Dufty

Resolution authorizing the Department of the Environment to apply for, accept and expend a grant in the amount of $189,938 from the California Integrated Waste Management Board for enforcing proper disposal of waste tires. (Environment)

(No Public Benefit Recipient.)
4/1/03, RECEIVED AND ASSIGNED to City Services Committee.
Supervisor Dufty requested to be added as sponsor.

030536 **[Amendment to Real Property Lease]**
Resolution authorizing a second amendment to an existing lease of office space at 1212 Market Street, also known as 11 Grove Street, for the Department of the Environment. (Real Estate Department)

(Public Benefit Recipient; District 6.)
4/2/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030537 **[Research on club-drugs and HIV risk behavior in high-risk men]**
Supervisors Dufty, Newsom

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPHAIDS) to accept retroactively and expend a grant in the amount of $159,973 from the National Institute on Drug Abuse (NIDA) for research on club-drugs and HIV risk behavior in high-risk men and to enter into an agreement for the use of these funds; for the period of March 1, 2003 to February 29, 2004. (Public Health Department)

(No Public Benefit Recipient.)
4/3/03, RECEIVED AND ASSIGNED to City Services Committee.
Supervisor Dufty requested to be added as sponsor.
Supervisor Newsom requested to be added as a co-sponsor.

030540 **[Airport Concession Lease]**
Resolution approving the Terminal 3 Specialty Retail Store Lease between Brookstone Company, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Public Benefit Recipient.)
4/4/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030546 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Lane Street and McKinnon Avenue, stopping westbound McKinnon Avenue at Lane Street;
Green and Taylor Streets, stopping both Green and Taylor Streets, making this uncontrolled T-intersection an all-way STOP;
20th Avenue and Kirkham Street, stopping Kirkham Street, making this intersection an all-way STOP;
Jennings Street and Thomas Avenue, stopping Jennings Street, making this intersection an all-way STOP;
Olmstead and Girard Streets, stopping Olmstead Street at Girard Street, making this intersection into an all-way STOP;
Rutland Street and Raymond Avenue, stopping Rutland Street at Raymond Avenue, making this intersection an all-way STOP;
Newhall Street and La Salle Avenue, stopping Newhall Street at La Salle Avenue; and
McKinnon Avenue and Newhall Street, stopping McKinnon Avenue at Newhall Street.
Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street. (Parking and Traffic Department)

(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order NO. 2597; No Public Benefit Recipient.)

4/4/03, RECEIVED AND ASSIGNED to Land Use Committee.

030547 **[Traffic Regulations on Various Streets]**
Resolution enacting and rescinding traffic regulations on various streets.

NO RIGHT TURN ON RED - ESTABLISH
Dwight Street, eastbound, at San Bruno Avenue.

NO RIGHT TURN ON RED - ESTABLISH
Beach Blanket Babylon Boulevard (Green Street), eastbound, at Columbus Avenue.

NO LEFT TURN AND NO U-TURN - RESCIND
The Embarcadero, southbound, at Washington Street.

NO U-TURN - RESCIND
The Embarcadero, northbound, at Broadway.

NO LEFT TURN - ESTABLISH
Fulton Street, eastbound, at 43rd Avenue.

NO RIGHT TURN ON RED FROM 7 AM TO 8 PM - ESTABLISH
Geary Expressway and Laguna Street, all approaches.

NO LEFT TURN, 7:00 AM TO 9:00 AM AND 4:00 TO 6:00 PM, EXCEPT SATURDAY AND SUNDAY - RESCIND
NO LEFT TURN - ESTABLISH
Judah Street, both directions, at 14th Avenue. (Parking and Traffic Department)

(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2597; No Public Benefit Recipient.)
4/4/03, RECEIVED AND ASSIGNED to Land Use Committee.

030548 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Church Street east side, between 21st and 22nd Streets (900 block); and
Church Street, west side, between 21st and Hill Streets (900 block).

NOTE:The 900 block of Church Street will be legislated to be signed as an Area "S" and Area "Z" buffer zone. The residents of Church Street will receive only Area "S" permits, but the signs on the block will eventually allow both Area "S" and "Z" permit holders to park. The signs will initially allow only "S" parking, but will be changed as the Area "Z" boundary expands and merges with Area "S".

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
19th Avenue, east side, from Junipero Serra Boulevard to 68 feet southerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Northern end of 20th Avenue, north of Lake Street, from west curb to 20 feet easterly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Dorman Avenue, both sides, between Barneveld and Palou Avenues.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Palou Avenue, both sides, between Barneveld Avenue and Industrial Street.

TOW-AWAY, NO PARKING ANYTIME - RESCIND
Blake Street, west side, from its terminus north of Geary Boulevard to 30 feet southerly.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 7 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Broadway North Service Road, south side, from 13 to 240 feet east of Hyde Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Broadway North Service Road, north side, from 0 to 240 feet east of Hyde Street. (Parking and Traffic Department)

(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2597; No Public Benefit Recipient.)
4/4/03, RECEIVED AND ASSIGNED to Land Use Committee.

030605 **[Modification #9 to Lease and Use Agreement with US Airways, Inc. at Terminal 1 - SF International Airport]**

Resolution approving and authorizing the execution of Modification # 9 to the Lease and Use Agreement L-82-0120 with US Airways, Inc., to reduce terminal space in Terminal 1 of San Francisco International Airport. (Airport Commission)

(Public Benefit Recipient.)
4/3/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

PROPOSED MOTIONS

030550 **[Appointment, Entertainment Commission]**

Motion approving the Mayor's nomination for appointment of Audrey Joseph to the Entertainment Commission, term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - 4/1/03.
4/7/03, RECEIVED AND ASSIGNED to Rules Committee.

030551 **[Appointment, Entertainment Commission]**

Motion rejecting the Mayor's nomination for appointment of Audrey Joseph to the Entertainment Commission for the term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - 4/1/03.
4/7/03, RECEIVED AND ASSIGNED to Rules Committee.

030599 **[Appointment, Entertainment Commission]**

Motion approving the Mayor's nomination for appointment of Jordan Shlain to the Entertainment Commission, term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - 4/1/03.
4/7/03, RECEIVED AND ASSIGNED to Rules Committee.

030600 **[Appointment, Entertainment Commission]**

Motion rejecting the Mayor's nomination for appointment of Jordan Shlain to the Entertainment Commission for the term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - 4/1/03.
4/7/03, RECEIVED AND ASSIGNED to Rules Committee.

030601 **[Appointment, Entertainment Commission]**
Motion approving the Mayor's nomination for appointment of Bowman Leong to the Entertainment Commission, term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - 4/1/03.
4/7/03, RECEIVED AND ASSIGNED to Rules Committee.

030602 **[Appointment, Entertainment Commission]**
Motion rejecting the Mayor's nomination for appointment of Bowman Leong to the Entertainment Commission for the term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - 4/1/03.
4/7/03, RECEIVED AND ASSIGNED to Rules Committee.

030603 **[Appointment, Entertainment Commission]**
Motion approving the Mayor's nomination for appointment of Bruce G. Lorin to the Entertainment Commission, term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - 4/1/03.
4/7/03, RECEIVED AND ASSIGNED to Rules Committee.

030604 **[Appointment, Entertainment Commission]**
Motion rejecting the Mayor's nomination for appointment of Bruce G. Lorin to the Entertainment Commission for the term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - 4/1/03.
4/7/03, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

Requests Granted

From: Supervisor Ammiano
To: Superintendent, SFUSD
Requesting/Inquiring: To identify school facilities that could be used to house non-profit programs to serve students this summer, if the City identifies funding, including costs of operating these school facilities during the summer.

From: Supervisor Ammiano
To: Director, Children, Youth and Their Families
Requesting/Inquiring: Requesting a budget update regarding increased revenues to the Children's Fund that could be targeted to fund summer school alternatives for target student populations.

From: Supervisor Ammiano
To: Director, Department of Recreation and Parks
Requesting/Inquiring: To provide an update regarding potential program cuts that will further limit recreational alternatives available to kids this summer.

From: Supervisor Daly
To: Controller
City Attorney
Requesting/Inquiring: To draft a supplemental appropriation ordinance to provide funding for the Public Education Special Fund in Fiscal Year 2002-2003.

From: Supervisor Maxwell
To: Department of Parking and Traffic
Requesting/Inquiring: To conduct a traffic study at the intersection of Father Sammon Way and Connecticut Street. Specifically, Supervisor Maxwell would like DPT to investigate the feasibility of installing four-way stop signs at this intersection. Seniors and children from the neighborhood heavily utilize this intersection. For the safety of our community, neighbors are asking for better traffic regulation in this area.

Supervisor Maxwell request that this report is provided to her office by May 30, 2003.

From: Supervisor Hall
To: City Attorney
Requesting/Inquiring: Please review the below proposal and determine if it is different from current law, whether or not its provisions are constitutional, and, finally, draft it into a form for introduction.

Be it ordained, by the people of the City and County of San Francisco, that anyone who knowingly and deliberately disrupts, blocks or impedes, in any manner, the normal flow of traffic or pedestrian access, by sitting upon, lying down, or congregating in large groups, on any Sidewalk, Street, or any other Public Roadway, within the City and County of San Francisco, shall be guilty of a misdemeanor. Conviction for any segment of this misdemeanor, as set forth in this initiative, shall be punishable by a mandatory fine of no less than Three Hundred Dollars ($300) or more than Five Hundred Dollars ($500), plus all relevant court costs. All arrests, without exception, made under this ordinance, shall carry a mandatory cash bail of no less than One Thousand Dollars ($1000). No individual, upon arrest, may be released from custody, until and unless, they have provided authorities with valid identification. Any individual, who refuses to provide any Court, with valid identification, may be found to be in contempt.

In Memoriams

Eva Agatha Kelly (Supervisor Hall)
Mary Aquinas Whooley (Supervisor Hall)
Thomas J. Quilter (Supervisor Hall)

ADJOURNMENT

There being no further business, the Board at the hour of 5:20 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 20, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

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Tuesday, April 22, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll, the following Supervisor was noted absent.

Supervisor Ammiano - 1

Quorum present.

Supervisor Ammiano was noted present at 2:05 p.m.

Privilege of the Floor

Supervisor Sandoval, seconded by Supervisor Maxwell, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant the privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Sandoval introduced, welcomed and presented a Certificate of Honor to Mr. Will Reno, Community Leader, OMI.

CONSENT AGENDA

Recommendations of the City Services Committee

030396 **[Accept/Expend Federal Funding - McKinney 2002 Continuum of Care Homeless Assistance Programs] Supervisors Dufty, Daly, Newsom**

Resolution retroactively authorizing the Department of Human Services to accept and expend a grant in the amount of $1,916,317 from the U.S. Department of Housing and Urban Development for the McKinney Continuum of Care Homeless Assistance Programs. (Human Services Department)

Supervisors Daly and Newsom requested to be added as co-sponsors.

Resolution No. 263-03

ADOPTED

030397 **[Accept-Expend State Grant - Supportive Housing Initiative Act]**
Supervisors Newsom, Dufty, Daly

Resolution authorizing the Department of Human Services to retroactively accept and expend a grant in the amount of $708,761 from the California Department Of Mental Health Supportive Housing Initiative Act for supportive housing targeting adults with disabilities. (Human Services Department)

(No Public Benefit Recipient.)

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 264-03
ADOPTED

030471 **[AIDS surveillance training materials for international sites]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $93,523 with The Regents of the University of California San Francisco (UCSF), the primary contractor to participate in developing materials, field testing, and providing technical assistance in AIDS surveillance training at various international sites, for the period of January 1, 2003, to September 29, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 267-03
ADOPTED

030501 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice]**
Supervisors Dufty, Ma, Newsom

Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend supplemental grant funding in the amount of $10,000 for Federal FY 1999 and a grant amount of $14,655 for Federal FY 2002 from the U.S. Department of Justice under the Bulletproof Vest Partnership Act to equip law enforcement officers in the Sheriff's Department, Police Department and the Office of the District Attorney with armor vests. (Mayor)

(No Public Benefit Recipient.)

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 268-03
ADOPTED

Recommendations of the Finance and Audits Committee

020592 **[Modifying collection procedures for the Transit Impact, Housing, Child Care, Park and Inclusionary Housing Fees by transferring responsibility for collection and enforcement to the Treasurer]**
Supervisors Peskin, McGoldrick, Daly, Maxwell, Dufty

Ordinance (1) amending the Planning Code by amending Sections 139, 313.1, 313.4, 313.5, 313.6, 313.7, 313.8, 313.9, 313.10, 314.1, 314.4, 314.5, 315.3 and 315.6 to transfer collection authority for in lieu fees collected for the Park Fund, the Jobs-Housing Linkage Program, Child Care Requirement and the Inclusionary Affordable Housing Program from the Controller to the Treasurer and conform collection procedures for these fees, and require that funds from the Child Care Capital Fund and the Downtown Park Fund be used to fund nexus studies for the Downtown Park Fee and the Child Care Fee; and (2) amending the Administrative Code by amending Sections 38.1, 38.3, 38.4, 38.5, 38.6, 38.8, 38.8.5, 38.9, 38.10, 38.11 and 38.45 to transfer collection of the Transit Impact Development Fee from the General Manager of the Public Utilities Commission to the Treasurer and conform collection and enforcement procedures for the fee.

Ordinance No. 76-03
FINALLY PASSED

030480 **[Settlement of Lawsuit - Freeman Decorating Co. and TFC Management, Inc.]**
Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by Freeman Decorating Co. and TFC Management, Inc., against the City and County of San Francisco for $37,500.00; the lawsuit was filed on April 27, 2001 in San Francisco Superior Court, Case No. 320-869; entitled Freeman Decorating Co., et al., v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.

(Public Benefit Recipient.)

Ordinance No. 83-03
FINALLY PASSED

030479 **[Settlement of Lawsuit - CNET Networks, Inc.]**
Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by CNET Networks, Inc., against the City and County of San Francisco for $137,541.00; the lawsuit was filed on July 5, 2002 in San Francisco Superior Court, Case No. 409-891; entitled CNET Networks, Inc. v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.

(Public Benefit Recipient.)

Ordinance No. 82-03
FINALLY PASSED

030478 **[Settlement of Lawsuit - Heller Ehrman White & McAuliffe LLP]**
Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by Heller Ehrman White & McAuliffe LLP, a Limited Liability Partnership, and Heller Ehrman White & McAuliffe, a California Professional Corporation, against the City and County of San Francisco for $153,000.00; the lawsuit was filed on May 16, 2001 in San Francisco Superior Court, Case No. 321-383; entitled Heller Ehrman White & McAuliffe LLP, et al., v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.

(Public Benefit Recipient.)

Ordinance No. 81-03
FINALLY PASSED

030481 **[Authorization to make a binding settlement offer - Federated Western Properties, Inc.]**
Supervisor Gonzalez

Ordinance authorizing the City Attorney to make an offer to allow judgment pursuant to California Code of Civil Procedure Section 998 in Macy's West, Inc.; Federated Western Properties, Inc. (successor in interest to Broadway Stores, Inc., dba Macy's); Federated Systems Group, Inc.; Macy's.com, Inc. v. City and County of San Francisco San Francisco Superior Court No. 313930, for a total amount not to exceed $3,300,000.00; and in no event any amount that would create liability to the City pursuant to the Most Favored Nations Clause in the General Motors Corporation v. City and County of San Francisco San Francisco Superior Court No. 301510 (Court of Appeal No. A091914) and Eastman Kodak Company v. City and County of San Francisco San Francisco Superior Court No. 302983 (Court of Appeal No. A091910) ("GM cases") Settlement Agreements.

(Public Benefit Recipient.)

Ordinance No. 84-03
FINALLY PASSED

Recommendations of the Rules Committee

030392 **[Settlement of Legal Proceeding on Underground Construction Co., Inc. and Qwest Communications Corporation]**
Ordinance authorizing settlement of administrative penalties conditionally imposed by the Department of Public Works on Underground Construction Co., Inc. and Qwest Communications Corporation. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

030393 **[Settlement of Lawsuit - Huey, et al. v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by seven plaintiffs, in a lawsuit known as Huey, et al. against the City and County of San Francisco for $250,000 as follows: $87,500 in back overtime wages, $87,500 in liquidated damages and $75,000 in attorney's fees and costs; the lawsuit was filed on July 9, 2001 in the United States District Court, Case No. C01-4337 SBA; entitled Huey, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

030170 **[Appointment]**

Resolution appointing Jennifer Friedenbach, Gail Gilman, Barry Hermanson, Leon Winston and Marcia Argyris terms ending May 15, 2004 to the Local Homeless Coordinating Board. Residency requirement waived.

Jennifer Friedenbach, succeeding herself, term expired, seat 4, must represent area of advocacy, for a two year term ending 5/15/04.
Gail Gilman, succeeding herself, term expired, seat 6, must be a service provider, for a two year term ending 5/15/04.
Barry Hermanson, succeeding himself, term expired, seat 8, must represent the business community, for a two year term ending 5/15/04.
Leon Winston, succeeding Laura Ware, term expired, seat 9, must represent education and/or training, for a two year term ending 5/15/04.
Marcia Argyris, succeeding herself, term expired, seat 10, must represent a foundation, for a two year term ending 5/15/04. (residency requirement waived).

Resolution No. 257-03
ADOPTED

030378 **[Appointment]**

Resolution appointing Helen Kwan, term ending date to be determined to the Pedestrian Safety Advisory Committee.

Helen Kwan, new position, seat 5, must be a representative from a senior or disability organization, for a two-year term (ending date to be determined).

Resolution No. 262-03
ADOPTED

030412 **[Appointment]**

Resolution appointing Steve Chester and Stuart Berger, terms ending May 15, 2003 to the Local Homeless Coordinating Board.

Steve Chester, succeeding Diane Burke, resigned, seat 1, must represent homeless or formerly homeless, for the unexpired portion of a two year term ending May 15, 2003.
Stuart Berger, succeeding Joyce Miller, resigned, seat 3, must represent area of advocacy, for the unexpired portion of a two year term ending May 15, 2003.

Resolution No. 266-03
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

(Only one of the following two motions should be adopted.)

030373 **[Affirming adoption of the negative declaration for 40-50 Lansing Street]**
Motion affirming the Planning Commission adoption of the negative declaration for 40-50 Lansing Street. (Clerk of the Board)

Motion No. M03-68
Supervisor Peskin, seconded by Supervisor Newsom, moved that this Motion be APPROVED. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030374 **[Reversing adoption of the negative declaration for 40-50 Lansing Street]**
Motion reversing the Planning Commission adoption of the negative declaration for 40-50 Lansing Street. (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030375 **[Preparation of findings to reverse adoption of the negative declaration for 40-50 Lansing Street]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 40-50 Lansing Street. (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of the Budget Committee

030416 **[Funding for lease financing of two asphalt storage silos]**
Supervisors Peskin, Gonzalez, Daly, Maxwell

Ordinance appropriating $2,155,617 of lease financing revenues to construct two asphalt storage silos for the Department of Public Works for fiscal year 2002-03; and declaring the City's intent to reimburse itself for such appropriations from the proceeds of a lease-purchase financing. (Mayor)

(Fiscal impact.)

Ordinance No. 80-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Land Use Committee

021854 **[Construction Site Sign Requirements]**
Supervisors Peskin, Gonzalez

Ordinance amending the San Francisco Traffic Code Section 33.1 and Public Works Code Section 724.3 relating to sign and placard requirements at construction sites.

Ordinance No. 77-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030207 **[2161 Sutter Street - Zoning Map Change]**
Ordinance amending the San Francisco Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property described as Assessor's Block 0682, Lot 005, approximately 5,156 square feet in area, from an NC-2 (Small-Scale Neighborhood Commercial) District to an RM-3 (Residential, Mixed, Moderate Density) District and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

(Planning Commission Resolution No. 16514 adopting the proposed Planning Code and Zoning Map amendments on January 23, 2003; Motion No. 16515 approving Conditional Use Application No. 2001.1058C on January 23, 2003; Final Mitigated Negative Declaration adopted and issued on July 12, 2002; No Public Benefit Recipient).

Ordinance No. 78-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030274 **[Parking Regulations - Portions of Vallejo Street, between Stockton and Powell Streets]**
Ordinance adding Section 32.6.35 to the San Francisco Traffic Code restricting parking on portions of Vallejo Street, between Stockton and Powell Streets to marked police vehicles only for San Francisco Police Department's Central Station. (Parking and Traffic Department)

(No Public Benefit Recipient.)

Ordinance No. 79-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of City and School District Select Committee

030354 **[Public Education Special Fund]**
Supervisors Daly, Ma, Dufty

Ordinance adding Administrative Code Section 10.100-367 to establish the "Public Education Special Fund."

Amendment of the whole bearing same title.
Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget Committee

030420 **[Specifying that revenues from littering citations issued by DPW environmental control officers go to DPW]**
Supervisors McGoldrick, Dufty, Maxwell, Ma, Peskin, Newsom

Ordinance amending Section 38 of the Police Code Article to specify that revenues from citations issued by DPW environmental control officers for littering shall be allocated to DPW and used to fund litter enforcement and abatement.

(Fiscal impact.)

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Ordinance be TABLED. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030482 **[Administrative Penalties for Littering and Specified Nuisance Violations]**
Supervisors McGoldrick, Peskin, Maxwell, Dufty, Daly, Newsom

Ordinance amending Sections 37, 38, and 63 of the Police Code, Sections 41.13, 283.1, 287 and 600 of the Health Code and Sections 170, 173, 174, 174.2, 184.63, and 724.5 of the Public Works Code to authorize the assessment of administrative penalties as an alternative to infractions for littering and specified nuisance violations; amending the Police Code by adding a new Section 39-1 to establish procedures for the imposition, review and collection of administrative penalties.

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisors Daly and Newsom requested to be added as co-sponsors.

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

Recommendation of the City Services Committee

030377 **[Liquor License Transfer, 2550 Van Ness Avenue]**
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 515 Broadway Street to 2550 Van Ness Avenue, Unit #2 (District 6), to Frank S. Montarello, Jr. for Stellar One, Inc. dba "Broadway Joes" will serve the public convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 261-03

ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Finance and Audits Committee

022033 **[Grant Applications]**
Supervisors Sandoval, Gonzalez, Peskin, McGoldrick

Ordinance amending San Francisco Administrative Code Section 10.170 to provide that all grant applications (except for grants originating from the Transportation Authority) submitted by the City requesting funding for one hundred thousand dollars or more shall be subject to approval by the Board of Supervisors by resolution, except for grant funds approved by the Mayor and the Board of Supervisors in the annual budget.

Supervisor Sandoval, seconded by Supervisor Maxwell, moved that this Ordinance be REFERRED to the City Services Committee. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030003 **[Sale of 1345 Turk/1140 Fillmore to Redevelopment Agency]**
Supervisors Gonzalez, Peskin

Resolution approving the sale of real property located at 1345 Turk and 1140 Fillmore Streets to the San Francisco Redevelopment Agency for $900,000; approving the interdepartmental transfer of jurisdiction over 1345 Turk from the Municipal Transportation Agency to the City's Arts Commission; authorizing the Director of Property to enter into an Agreement for the Sale of Real Property with the San Francisco Redevelopment Agency for the sale of such real property for the development of affordable housing and other public beneficial uses.

(Public Benefit Recipient.)

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 254-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030404 **[Modification to the Professional Service Agreement for North & South International Parking Garages, Concourse H/Airport BART Station and Rental Car Facility]**

Resolution retroactively approving Modification No. 3, the Close-out Modification, of Professional Services Agreement for Contract No. 5600AE - North & South Int'l Parking Garages, Concourse H/Airport BART Station and Rental Car Facility with ED2 Int'l/MBT Architecture Joint Venture Architects in the amount of $1,236,926, for a new total contract amount of $23,469,626. (Airport Commission)

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 265-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

From the Rules Committee "Without Recommendation"

030189 **[Confirming the appointment of Ben Hom to the San Francisco Port Commission]**
Mayor

Resolution confirming the appointment of Ben Hom to the San Francisco Port Commission, for a four-year term ending May 1, 2006. (Mayor)

(Supervisor Hall excused from voting.)

Supervisor Hall previously excused from voting on this item.

NOT ADOPTED by the following vote:

Ayes: 3 - Dufty, Ma, Sandoval
Noes: 7 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin
Excused: 1 - Hall

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Supervisor Newsom presented a Certificate of Honor in honor of Abdullah Megaheed's birthday
Abdullah Megaheed; homeless issues
Supervisor Gonzalez recognized SF Police Commissioner Victor Macris
Roger Brandon; traffic issues
James Chaffee; library issues
Member of the Youth Commission; requesting support of resolution regarding funds for education and support of May 8th rally in Sacramento
Brian Haley; Member, Drug Abuse Advisory Board; issues regarding process Drug Abuse Advisory Board
Francisco Di Costa; Earth Day
Andrew Bozeman; informed the Board of Earth Day festivities occurring in Hunter's Point
Female Speaker; requested Board to request Congress to amend HR #20
Female Speaker; requested Board to request Congress to amend HR #20
Sylvia Johnson; general issues

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

030635 **[Legislative Analyst Request]**
Supervisor Hall

Motion requesting the Legislative Analyst to compare and contrast the laws, regulations, and policies of Seattle and New York City for "facilitating" mass protests.

(No fiscal impact.)

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Dufty

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

030080 **[People's Earth Day in San Francisco]**
Supervisors Maxwell, Dufty, Newsom

Resolution proclaiming Saturday, April 26, 2003 as "People's Earth Day Fair" Day in the City and County of San Francisco.

(No fiscal impact.)

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 255-03
ADOPTED

030164 **[Proclaim May as American Lung Association's Clean Air Month]**
Supervisors Maxwell, Dufty, Newsom

Resolution proclaiming May 2003 as American Lung Association's Clean Air Month in the City and County of San Francisco.

(No fiscal impact.)

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 256-03
ADOPTED

030236 **[Commend Tanya Twyman]**
Supervisors Maxwell, Newsom

Resolution commending Tanya Twyman for her commitment and dedication to childcare services throughout the City.

(No fiscal impact.)

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 258-03
ADOPTED

030276 **[Commend Michael Tilson Thomas and the San Francisco Symphony]**
Supervisors Daly, Dufty, Peskin, Hall, Newsom

Resolution commending Michael Tilson Thomas and the San Francisco Symphony for their role as Cultural Ambassadors from the City of San Francisco representing the breadth and depth of the vitality of arts and cultural activities in the City.

(No fiscal impact.)

Supervisors Peskin, Hall and Newsom requested to be added as co-sponsors.

Resolution No. 259-03
ADOPTED

030346 **[Commend Deputy City Attorney Randy Edward Riddle]**
Supervisors Ammiano, Dufty, Peskin

Resolution commending Randy Edward Riddle for 15 years of exemplary public service to San Francisco as a Deputy City Attorney in the Government Law Division of the City Attorney's Office, and wishing him well in his future endeavors as General Counsel for the California Secretary of State.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 253-03
ADOPTED

030595 **[Final Map for a 23 Unit Mixed-Use Condominium Project]**
Motion approving Final Map of 320 Alabama Street, a Mixed-Use Condominium Project, being a subdivision of Lot 2, Assessor's Block No. 3967, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No public benefit recipient; DPW Order No. 174,068; Distict 6.)

Motion No. M03-69
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Severed From Without Reference to Committee

Supervisor Hall requested that this matter be severed so that it could be considered separately.

030290 **[Commend Byron Yoanidis]**
Supervisors Daly, Hall

Resolution commending Byron Yoanidis of San Francisco, for his inspirational effort and his deep commitment to help those who face homelessness and mental illness.

(No fiscal impact.)

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 260-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

030677 **[Requiring Slip Resistant Manhole, Vault, and Sub-sidewalk Basement Covers, Grilles, Grates, or Other Lids on the Public Sidewalk]**
Supervisors Peskin, Dufty

Ordinance adding Public Works Code Section 790 to require the installation of slip resistant manhole covers and sub-sidewalk basement covers in compliance with the Americans with Disabilities Act's Accessibility Guidelines' recommended standards, to grant the Director of Public Works authority to enforce requirements, and to provide for administrative and civil penalties for violations.

(Fiscal impact.)
4/22/03, RECEIVED AND ASSIGNED to City Services Committee.

030678 **[Prohibiting subsurface development on property adjacent to the Embarcadero, owned by the City and dedicated as open space]**
Supervisor Peskin

Ordinance prohibiting subsurface development on certain real property located at Drumm Street, between Clay and Washington Streets, described generally as Assessor's Block 202, Lots 6, 14 and a portion of 15, and a portion of Block 203, Lot 14, partial jurisdiction over which has previously been transferred from the Department of Public Works to the Recreation and Park Commission, and transferring to the Recreation and Park Commission the subsurface area of property previously transferred.
4/22/03, RECEIVED AND ASSIGNED to Land Use Committee.

030679 **[Resource Efficiency Requirements and Green Building Standards]**
Supervisor Ammiano

Ordinance amending the San Francisco Environment Code Chapter 7, Resource Efficiency Requirements, to include new provisions for green building design principles for City construction projects and to reconfigure the Resource Efficiency Task Force.
4/22/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/22/2003.

030683 **[Funding for the over-expenditures in the Conflicts Panel (Indigent Defense) Program]**
Mayor

Ordinance appropriating $150,000 in the Child Support Services Fund and $1,050,000 from the General Fund Reserve for a total of $1,200,000 to cover over-expenditures in legal expenses associated with the Conflicts Panel (Indigent Defense) Program consisting of $500,000 carried forward from FY 2001-02 and $700,000 of FY 2002-03 for the Superior Court for fiscal year 2002-03. (Mayor)

(Fiscal impact.)
4/22/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030689 **[Pass through to residential tenants 50% of water bill charges attributable to water rate increases resulting from issuance of PUC water system revenue bonds]**
Supervisors Daly, Maxwell

Draft ordinance amending Administrative Code Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance) by amending Sections 37.2, 37.3, and 37.8, to provide that landlords may pass through to residential tenants fifty percent (50%) of water bill charges attributable to water rate increases resulting from the issuance of any PUC water system revenue bonds authorized at the November 5, 2002 election, where a unit is in compliance with any applicable laws requiring water conservation devices; to provide that tenants be given notice of any such passthrough; to provide that any such passthrough does not become part of a tenant's base rent; to provide that a tenant may file a hardship application with the Rent Board for relief from all or part of the cost passthrough, and that if a hardship application is granted the affected landlord may utilize any available Public Utilities Commission low-income rate discount program or similar program for water bill reduction based on the tenant's hardship status; to provide that a tenant may file a petition with the Rent Board within one year of the effective date of a passthrough for determination of whether that passthrough is in compliance with the Code, and that the landlord bears the burden of proving the accuracy of the passthrough calculations in such a hearing; clarification of other Rent Ordinance provisions, in order to distinguish general obligation bonds from water revenue bonds; and technical changes in order to conform to other recent Rent Ordinance amendments.
4/22/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

030675 **[State Budget Priorities]**
Supervisor Daly

Resolution establishing the official position of the City and County of San Francisco on the state budget and endorsing principles for a balanced solution to the state budget crisis.
4/22/03, RECEIVED AND ASSIGNED to Budget Committee. Sponsor requests this item be scheduled for consideration at the May 5, 2003 meeting.

030685 **[Appointment - Director of Citizen Complaints]**
Mayor

Resolution confirming the appointment of Kevin Allen to the position of Director of Citizen Complaints (OCC). (Mayor)
4/22/03, RECEIVED AND ASSIGNED to Rules Committee.

030694 **[Commend Saint Anthony Foundation]**
Supervisors Daly, Dufty, Hall, Newsom

Resolution commending the Saint Anthony Dining Room for serving their 30 millionth meal on April 30, 2003.
4/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030695 **[Commend Laura Ware]**
Supervisor Daly

Resolution commending Laura Ware for fourteen years of leadership, commitment, and dedicated service to improving the lives of homeless people in San Francisco.
4/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030696 **[Re-creation of Community Land Trust Task Force]**
Supervisors Gonzalez, Daly

Resolution re-creating the Community Land Trust Task Force and re-appointing Peter Doty, Marianne Love, Lotus Yee Fong, Ada Chan, Lisa Feldstein, Rene Cazenave, Marc Solomon, James Tracy, Rick Lewis, Ash Kumar Gujral, Philip Williams, and Mark Wilson, for the purpose of adopting a draft report, reporting back to the Board and sunset its operations within two months of the adoption of this resolution.
4/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030697 **[Full Citizenship for members of the Armed Forces]**
Supervisors Hall, Dufty, Newsom

Resolution urging the President of the United States of America to take actions necessary to guarantee the awarding of full American citizenship to every man and woman serving in the United States Armed Forces in the War in Iraq or upon their favorable discharge from the Armed Forces.
4/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030698 **[San Francisco Medical Society]**
Supervisors Hall, Dufty, Newsom

Resolution commending the San Francisco Medical Society for its 135 years as a professional association representing physicians in the City and County of San Francisco.
4/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030699 **[Asian Pacific American Heritage Month]**
Supervisors Newsom, Dufty, Ma, Peskin

Resolution declaring May 2003 as "Asian Pacific American Heritage Month" in the City and County of San Francisco.
4/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030700 **[Commend Department of the Environment]**
Supervisors Sandoval, Newsom

Resolution commending the Department of the Environment for their continuing support of A Living Library Project.
4/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030701 **[Commend Education Not Incarceration]**
Supervisors Sandoval, Daly

Resolution commending the Education Not Incarceration coalition for holding a statewide rally in Sacramento on May 8, 2003 to protest Governor Gray Davis' decision to cut education spending while increasing prison spending.
4/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030702 **[Assembly Bill 1006]**
Supervisor Sandoval

Resolution urging the California State Legislature to pass AB 1006: Healthy Schools Bill of 2003 to prohibit the use of the most highly toxic pesticides on school property.
4/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

030676 **[Health Department Budget Cuts]**
Supervisor Daly

Hearing to consider the budget of the Health Department, and proposed cuts. Also, to consider recent findings of the Budget Analyst in its audit of San Francisco General Hospital.
4/22/03, RECEIVED AND ASSIGNED to Budget Committee. Sponsor requests this item be scheduled for consideration at the May 5, 2003 meeting.

030686 **[Cleaning programs in San Francisco.]**
Supervisor Gonzalez

Hearing to discuss the importance of community based cleaning programs in San Francisco.
4/22/03, RECEIVED AND ASSIGNED to City Services Committee.

030687 **[Municipal minimum wage]**
Supervisor Gonzalez

Hearing for the purpose of allowing the University of California at Berkeley to present its findings on the impacts of creating a municipal minimum wage as requested by the San Francisco Board of Supervisors in File No. 021107, Resolution No. 453-02.
4/22/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the May 7, 2003 meeting.

030688 **[Crystal Methamphetamine and HIV]**
Supervisor Dufty

Hearing to consider the implications of Crystal Methamphetamine (Speed) usage on rising rates of HIV infections as well as complicating the health status of individuals already affected by HIV/AIDS.
4/22/03, RECEIVED AND ASSIGNED to City Services Committee.

Motions

030673 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
4/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030674 **[Closed Session - Existing Litigation, City as Plaintiff]**
Supervisor Gonzalez

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney regarding the following existing litigation in which the City alleges, in sum, that manufacturers, distributors and dealers of handguns have created a public nuisance and engaged in unfair and unlawful business practices by distributing guns in ways that enable criminals and juveniles to acquire them.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuit listed below.

People of the State of California v. Arcadia Machine & Tool, Inc., et al.
J. C. C. P. No. 4095 (originally S. F. Superior Court No. 303-753 (filed May 25, 1999), pending before the Hon. Vincent P. DiFiglia in San Diego Superior Court.
4/22/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration April 29, 2003.

030680 **[Establishing a Select Committee on the San Francisco Police Department]**
Supervisor Ammiano

Motion to establish a Select Committee on the San Francisco Police Department pursuant to Board of Supervisors Rules of Order, Rule 5.26.
4/22/03, RECEIVED AND ASSIGNED to Rules Committee.

030682 **[Motion ordering an ordinance be submitted to the voters Conflict of Interest Laws]**
Supervisor Ammiano

Motion ordering submitted to the voters an ordinance authorizing the Conflict of Interest Law Amendments at an election to be held on November 4, 2003.
4/22/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/22/2003.

030684 **[Board of Supervisors/Clerk of the Board's Annual Budget]**
Supervisor Daly

Motion adding Rules 6.23 and 6.24 to the Rules of Order of the Board of Supervisors to provide a process for review and approval of the Board of Supervisors/Clerk of the Board's annual budget prior to submission to the Mayor.
4/22/03, RECEIVED AND ASSIGNED to Rules Committee.

Charter Amendment

030681 **[Charter Amendment-Ethics provisions to move various provisions into ordinances, to enact new provisions, to make technical changes, and to clarify ambiguities in existing provisions]**
Supervisor Ammiano

Charter amendment (First Draft) to amend Sections 4.108, 4.109, 10.101, 15.100, 15.103, 15.105, and Article XVII, delete sections 15.104, 15.106, 15.108, C8.105 and add section 18.115 to make technical changes, to move various provisions into ordinances, and to clarify existing provisions.
4/22/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/22/2003.

PROPOSED ORDINANCES

030596 **[Settlement of Lawsuit - Nishkian & Associates]**
Ordinance approving settlement of litigation of City and County of San Francisco against Nishkian & Associates for $40,000. (City Attorney)

(Public Benefit Recipient.)
4/11/03, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

030598 **[Settlement of Claim]**
Resolution approving the settlement of the unlitigated claim filed by Farmers Insurance Company as subrogee of Yuk Wah Shung against San Francisco; claim was filed on January 21, 2003. (City Attorney)

(Public Benefit Recipient.)
4/14/03, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

Requests Granted

From: Supervisor Sandoval
To: Department of Recreation and Park
Requesting/Inquiring: Inquiring about the following:

1. Current physical condition of Balboa Pool and the estimated timeline to address any structural issues.
2. If the Balboa Pool is anticipated to be closed for repair, please communicate the reason for, estimated time of, and duration of closure of the pool to the parties listed below.
3. Please identify the principal contact person at the Recreation and Park Department charged with supervising any projects pertaining to Balboa Pool.
4. Will the contact person charged with supervising Balboa Pool projects attend the next meeting of the New Mission Terrace Improvement Association scheduled for May 19th, 7 p.m. at the Ingleside Police Station Community Room?
5. Please send all responses to both the Office of Gerardo C. Sandoval and to John McGirr, President of the New Mission Terrace Improvement Association, PO Box 12111, San Francisco, CA 94112.

Also requesting the Clerk of the Board send a carbon copy of this inquiry and all responses to:

Office of Supervisor Gerardo C. Sandoval
C/o Aly Young

John McGirr
President
New Mission Terrace Improvement Association
PO Box 12111
San Francisco, CA 94112

From: Supervisor Newsom
To: Director, San Francisco Redevelopment Agency
Requesting/Inquiring: Inquiring of the following projects: all housing development projects, Mission Bay, Hunters Point Shipyard, the Mexican Museum, the Jewish Museum, and the African Diaspora Museum:

What is the planned use relating to each of these projects?
What is the number of projected jobs generated from each of these projects?
What is the estimated value of each of these completed projects?
What is the current status of each of these projects? Is it in the planning, negotiating or implementation stage?
Estimated completion of construction of these projects? What is the estimated completion date of these projects?
What barriers, if any, might add to the delay of the completion of these projects?

From: Supervisor Newsom
To: Director, San Francisco Planning Department
Requesting/Inquiring: Inquiring about the Schlage lock project:
What is the planned use relating to this project?
What is the number of projected jobs, if any, generated from this project?
What is the estimated value of this project?
Is this project in its planning, negotiating or implementation stage?
Estimated completion of construction of this project? What is the estimated completion date of this project?
What barriers, if any, might add to the delay of the completion of this project?

From: Supervisor Newsom

To: Municipal Transportation Authority
San Francisco Redevelopment Agency
San Francisco Public Utilities Commission
Department of Public Works
Treasure Island Development Authority
Mayor's Office of Business and Economic Development
Port of San Francisco
Department on the Environment
Workforce Investment Board
Requesting/Inquiring: To report on the following:

What State or federal grants have been awarded to your department in the past year?
What are your planning efforts toward applying for State or federal grant programs?
Do you currently collaborate at a regional level or departmental level in applying for State or federal grant opportunities?

Please specify any planning efforts or grants being sought by your department/agency in relation to Workforce Development, Infrastructure and Housing.

From: Supervisor Newsom
To: Executive Director, Municipal Transportation Authority
Requesting/Inquiring: Inquiring as to the feasibility of using a numbered ticket system at the Cable Car turnarounds at Market and Powell and at Bay and Taylor.
From: Supervisor Newsom
To: Director, Mayor's Office of Business and Economic Development
Requesting/Inquiring: Inquiring of the following projects: the Caltrains Downtown Extension/Transbay Terminal, Octavia Boulevard, Bloomingdale's, 49er Stadium/Mall, and the Old Mint:
What is the planned use relating to each of the project?
What is the number of projected jobs generated from each of these projects?
What is the estimated value of each of these completed projects?
What is the current status of each of these projects? Is it in the planning, negotiating or implementation stage?
What is the estimated completion date of these projects? Estimated completion of construction of these projects?
What, if any, are barriers that may add to the delay of the completion of these projects?

From: Supervisor Newsom
To: General Manager, San Francisco Public Utilities Commission
Requesting/Inquiring: Inquiring of the following projects: the Electrical Reliability Project, Initial Storm Water Management Plan, Vactor Truck Dewartering Pilot Project, Lake Merced, Lombard Reservoir Replacement Project, La Grande Water Replacement Tank Replacement Project, and Hetch Hetchy:

What is the planned use relating to this project?
What is the number of projected jobs generated from this project?
What is the estimated value of this completed project?
What is the current status of this project? Is it in the planning, negotiating or implementation stage?
Estimated completion of construction of this project? What is the estimated completion date of this project?
What barriers, if any, might add to the delay of the completion of this project?

From: Supervisor Newsom

To: Executive Director, Treasure Island Development Authority
Requesting/Inquiring: To report on the following regarding the Treasure Island Project:

What is the planned use relating to this project?
What is the number of projected jobs generated from this project?
What is the estimated value of this completed project?
What is the current status of this project? Is it in the planning, negotiating or implementation stage?
Estimated completion of construction of this project? What is the estimated completion date of this project?
What barriers, if any, might add to the delay of the completion of this project?

From: Supervisor Newsom
To: Director, Department of Public Works
Requesting/Inquiring: Inquiring of the Laguna Honda Hospital Replacement Valley Demolition & Mass Excavation project:
What is the planned use relating to this project?
What is the estimated value of this completed project?
What is the current status of this project? Is it in the planning, negotiating or estimated completion of construction of this project? What is the estimated completion date of this project?
What barriers, if any, might add to the delay of the completion of this project?

From: Supervisor Newsom
To: Executive Director, Port of San Francisco
Requesting/Inquiring: Inquiring of the following projects: the Cruise Brannan Street Wharf, Bryant Street Piers, the China Basin Shoreline Park, the Ferry Building Rehabilitation, Piers 1 1/2 - 5, Piers 27 - 31 Recreation Project, Pier 70, the International Museum of Women and the Rincon Park Restaurants project:
What is the planned use relating to these projects?
What is the number of projected jobs generated from these projects?
What is the estimated value of these completed projects?
What is the current status of each of these projects? Is it in the planning, negotiating or implementation stage?
Estimated completion of construction of these projects? What is the estimated completion date of these projects?
What barriers, if any, might add to the delay of the completion of these projects?

From: Supervisor Newsom
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Inquiring of the following projects: the Third Street Light Rail project, J-Church Rail Replacement, K-Ingleside Rail Replacement, L-Taraval Rail Replacement and the N-Judah Rail Replacement project:
What is the number of projected jobs generated from these projects?
What is the estimated value of these completed projects?
What is the current status of each of these projects? Is it in the planning, negotiating or implementation stage?
Estimated completion of construction of these projects? What is the estimated completion date of these projects?
What barriers, if any, might add to the delay of the completion of these projects?

From: Supervisor Newsom
To: Director, Department of Human Services
Requesting/Inquiring: Inquiring about the department's ability to utilize federal and state welfare allocation funds in order to create a local working families tax credit program for the City and County of San Francisco.

In Memoriams

Nathan Migden (Entire Board)
Estelle Mackota (Supervisor Dufty)
James Klint (Supervisor Dufty)
Phillip Y. Ten (Supervisor Hall)
Leo Thomas Walsh (Supervisor Hall, Newsom)
Anita Borg (Supervisor Newsom)
C. Roy Sabean (Supervisor Sandoval)

ADJOURNMENT

There being no further business, the Board at the hour of 5:03 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 28, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

DEC 1 2 2003

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PUBLIC LIBRARY

Tuesday, April 29, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll, the following Supervisors were noted absent.

Supervisors Ammiano, McGoldrick, Sandoval - 3

Quorum present.

Supervisors Ammiano and Sandoval were noted present at 2:05 p.m.
Supervisor McGoldrick was noted present at 2:07 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Newsom, seconded by Supervisor Maxwell, moved to approve April 1, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Privilege of the Floor

Supervisor Hall, seconded by Supervisor Ma, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant the privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Hall introduced, welcomed and presented a Certificate of Honor to Captain Dennis O'Leary, SFPD

CONSENT AGENDA

Recommendations of the City Services Committee

030504 **[Accept-Expend Federal Grant - Project Sentry]**
Supervisors Dufty, Ma, Newsom

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $400,000 through the United States Department of Justice, Bureau of Justice Assistance, for a project entitled "Project Sentry", and waiving indirect costs due to funding constraints. (District Attorney)

(No Public Benefit Recipient.)

Resolution No. 274-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030507 **[AIDS Prevention Studies in Africa]**
Supervisors Dufty, Ma, Newsom

Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH, AIDS) to enter retroactively into an agreement with the Regents of the University of California San Francisco (UCSF), the primary contractor, to accept and expend funds in the amount of $11,652 to participate in AIDS prevention studies in Africa, for the period of January 1, 2003 to December 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 275-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030512 **[Accept-Expend Federal Grant - Department of Children, Youth and Their Families]**
Supervisors Dufty, Ma, Newsom, Daly

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of $300,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) that targets Vietnamese and Central American newcomer girls between the ages of 0 to 18 in the Tenderloin and Mission neighborhoods. (Mayor)

(No Public Benefit Recipient.)

Supervisor Daly requested to be added as a co-sponsor.
Resolution No. 276-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030513 **[Accept-Expend Federal Grant - Department of Children, Youth and Their Families]**
Supervisors Dufty, Ma, Newsom

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of three hundred and fifty thousand dollars ($350,000) from the United States Department of Justice, Office of Justice Programs, Violence Against Women Office for Safe Havens: Supervised Visitation and Safe Exchange Program. (Mayor)

(No Public Benefit Recipient.)

Resolution No. 277-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030515 **[Accept-Expend State Grant]**
Supervisors Dufty, Newsom

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $20,840 from the California State Library for continuing family literacy programming as part of Project Read. (Public Library)

(No Public Benefit Recipient.)

Resolution No. 278-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030534 **[Used Oil Recycling Block Grant, 9th Cycle, Fiscal Year 2003/2004]**
Supervisors Dufty, Newsom

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $244,619.00 from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management. (Environment)

(No fiscal impact; Public Benefit Recipient.)

Resolution No. 279-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Rules Committee

030392 **[Settlement of Legal Proceeding on Underground Construction Co., Inc. and Qwest Communications Corporation]**
Ordinance authorizing settlement of administrative penalties conditionally imposed by the Department of Public Works on Underground Construction Co., Inc. and Qwest Communications Corporation. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 85-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030393 **[Settlement of Lawsuit - Huey, et al. v. CCSF, et al.]**

Ordinance authorizing settlement of the lawsuit filed by seven plaintiffs, in a lawsuit known as Huey, et al. against the City and County of San Francisco for $250,000 as follows: $87,500 in back overtime wages, $87,500 in liquidated damages and $75,000 in attorney's fees and costs; the lawsuit was filed on July 9, 2001 in the United States District Court, Case No. C01-4337 SBA; entitled Huey, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 86-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

022055 **[Appointment]**

Resolution appointing Matthew Juhl-Darlington, term ending September 6, 2005 to the Skateboarding Task Force.

Matthew Juhl-Darlington, new position, seat 6, must be a voting representative with expertise in real estate or legal fields for the unexpired portion of a three-year term ending September 6, 2005.

Resolution No. 270-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030474 **[Appointment]**

Resolution appointing Pawan Mehra and Marjorie Ann Williams, term ending April 27, 2004 to the Sunshine Ordinance Task Force 2000.

Pawan Mehra, succeeding Marie Harrison, term expired, seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic minority-owned news organization, for a two year term ending April 27, 2004.
Marjorie Ann Williams, succeeding Marjorie Ann Williams, term expired, seat 11, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two year term ending April 27, 2004.

Resolution No. 272-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030557 **[Appointment]**

Resolution appointing Andrew Thornley, Dianna Waggoner, Michael Rauner, Jerry Ervin, Cynthia Powell, Rufus Davis, and Casey Allen, term expiration date to be determined, to the Bicycle Advisory Committee.

Andrew Thornley, new position, seat 1, must be a nominee of District 1 Supervisor, The member shall serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration. Term expiration date to be determined.
Dianna Waggoner, new position, seat 3, must be a nominee of District 3 Supervisor. The member shall serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration. Term expiration date to be determined.
Michael Rauner, new position, seat 5, must be a nominee of District 5 Supervisor. The member shall serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration. Term expiration date to be determined.
Jerry Ervin, new position, seat 8, must be a nominee of District 8 Supervisor. The member shall serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration. Term expiration date to be determined.
Cynthia Powell, new position, seat 9, must be a nominee of District 9 Supervisor. The member shall serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration. Term expiration date to be determined.
Rufus Davis, new position, seat 10, must be a nominee of District 10 Supervisor. The member shall serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration. Term expiration date to be determined.
Casey Allen; new position, seat 11, must be a nominee of District 11 Supervisor. The member shall serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration. Term expiration date to be determined.

Resolution No. 280-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030558 **[Appointment]**

Resolution appointing Dr. Raymond Weisberg, Dr. Cheryl Polk and Dr. Lucy Crain term ending April 29, 2007 to the Children and Families Trust Fund and Commission.

Dr. Raymond Weisberg, succeeding Dr. Raymond Weisberg, seat 6, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies; for a 4 year term ending April 29, 2007.

Resolution No. 281-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030559 **[Appointment]**

Resolution appointing Brian Browne and David Sutter, for a term to be determined, to the Public Utilities Revenue Bond Oversight Committee.

Brian Browne, new position, seat 1, shall have expertise, skills and experience in economics, the environment, construction or project management, for a term to be determined.
David Sutter, new position, seat 2, shall have expertise, skills and experience in economics, the environment, construction or project management, for a term to be determined.

Resolution No. 282-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030561 **[Appointment]**

Resolution appointing Karin Jensen (residency requirement waived), term ending August 20, 2005 and Christine Luong, term ending August 20, 2003 to the Lead Poisoning Prevention Citizens Advisory Committee.

Karin Jensen (residency requirement waived), succeeding James Threat, term expired, seat 8, must represent the Recreation and Park Department, for the unexpired portion of a four-year term ending August 20, 2005.
Christine Luong, succeeding Jerry Rogers, resigned, seat 21, must have expertise in non-profit clinics, for the unexpired portion of a four-year term ending August 20, 2003.

Resolution No. 283-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Severed from Consent Agenda

Supervisor Daly requested that this matter be severed so that it could be considered separately.

030291 **[Appointment]**

Resolution appointing Donna Crowder, term ending September 1, 2003, to the Assessment Appeals Board 2.

Donna Crowder, succeeding Adrienne Lacau, resigned, seat 6, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. ALTERNATE /HEARING OFFICER for the unexpired portion of a three year term ending September 1, 2003.

Supervisor Daly reviewed with the Board a letter from the Assessor regarding the Assessor's inability to receive Multiple Listing Service (MLS) from the SF Association of Realtors.

Assessor Teng reviewed with the Board her concerns and requested the Board to ask Ms. Crowder, applicant for Assessment Appeals Board, whether or not she would assist the Assessor in her efforts to receive a MLS from SF Association of Realtors.

Suspension of the Rules

Supervisor Daly, seconded by Supervisor Ammiano, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant the privilege of the floor to Ms. Donna Crowder. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

The Board members discussed and reviewed the issues raised by the Assessor with the applicant Ms. Donna Crowder, Dawn Duran, Administrator of the Assessment Appeals Board and Deputy City Attorney, Ted Lakey.

Call the Question

Supervisor Ammiano, seconded by Supervisors Ma and Peskin moved to Call the Question by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

The President inquired if there was anyone present who wished to address the Board.
There being no response, the President declared the Public Comment portion closed.

030565 **[MOU - Supervising Probation Officers, Local 3]**
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 (for Supervising Probation Officers) to be effective July 1, 2003 through June 30, 2005. (Mayor)

030291 **[Appointment]**
Resolution appointing Donna Crowder, term ending September 1, 2003, to the Assessment Appeals Board 2.

Donna Crowder, succeeding Adrienne Lacau, resigned, seat 6, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. ALTERNATE /HEARING OFFICER for the unexpired portion of a three year term ending September 1, 2003.

Resolution No. 271-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget Committee

030482 **[Administrative Penalties for Littering and Specified Nuisance Violations]**
Supervisors McGoldrick, Peskin, Maxwell, Dufty, Daly, Newsom

Ordinance amending Sections 37, 38, and 63 of the Police Code, Sections 41.13, 283.1, 287 and 600 of the Health Code and Sections 170, 173, 174, 174.2, 184.63, and 724.5 of the Public Works Code to authorize the assessment of administrative penalties as an alternative to infractions for littering and specified nuisance violations; amending the Police Code by adding a new Section 39-1 to establish procedures for the imposition, review and collection of administrative penalties.

Ordinance No. 87-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of the City and School District Select Committee

030354 **[Public Education Special Fund]**
Ordinance adding Administrative Code Section 10.100-367 to establish the "Public Education Special Fund."

Ordinance No. 88-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Land Use Committee

021642 **[Zoning Map amendment extending the existing RM-1 district in Assessor's Block 6501 to include Lot 042]**
Supervisor Dufty

Ordinance amending Zoning Map Sheet 7 of the City and County of San Francisco to extend the existing RM-1 district in Assessor's Block 6501 to include Lot 042; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan and finding that the Ordinance is exempt/excluded from environmental review.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030221 **[Residential Rentals]**
Supervisor Peskin

Ordinance amending Administrative Code Chapter 49 "Security Deposits for Residential Rental Property," by amending Section 49.2 to provide that the annual landlord interest payments on security deposits shall be calculated at the interest rate in effect when an annual interest payment is due, and that any required pro rata interest payment shall be calculated at the interest rate in effect when that pro rata payment is due.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030325 **[Residential Rent Ordinance: conform to State Ellis Act amendments]**
Supervisor Peskin

Ordinance (1) conforming the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) to State law amendments to the Ellis Act (California Government Code Sections 7060 et seq.), by amending Section 37.9A to provide that, for new tenancies established after December 31, 2002, the same rent control restrictions that were in effect for the unit at the time a notice of intent to withdraw the unit from the rental or leased housing market was filed with the Rent Board remain in effect for any and all new or subsequent tenancies established during the five year period after filing the notice of intent, and for the five year period following actual withdrawal of the unit from the rental or leased housing market; (2) amending Section 37.9A to provide that half of the required relocation payment due to low-income, elderly or disabled tenants is due within fifteen (15) days of the landlord's receipt of the tenant's notice of entitlement, and the remaining half is due when the tenant vacates the unit; (3) amending Section 37.9A to require that an owner notify the Rent Board if the owner disputes a tenant's claim of entitlement to one-year notice due to being elderly or disabled; and, (4) conforming numbering.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030495 **[Prohibiting Motor Vehicle on Brant Alley]**
Supervisor Peskin

Resolution prohibiting motor vehicle traffic on Brant Alley.

(4/21/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Resolution No. 273-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of the Rules Committee

020938 **[Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]**
Supervisors Ammiano, Gonzalez, Dufty, Hall, Newsom, Ma

Charter Amendment (Fifth Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.

6/10/03 Amended on page 1, after "of such contract" by adding New Paragraph "Contracts and contract amendments shall be cost-neutral and employee bargaining units shall be permitted to trade salary or other employee-paid benefits to achieve cost-neutrality. The Board of Supervisors or the Community College District is empowered to determine compliance under this section."

Continued to May 6, 2003
Supervisor Ammiano, seconded by Supervisor Daly, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

COMMITTEE REPORTS

From the Rules Committee

030599 **[Appointment, Entertainment Commission]**
Motion approving the Mayor's nomination for appointment of Jordan Shlain to the Entertainment Commission, term to be determined. (Mayor)

(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - 4/1/03.
No fiscal impact.)

Motion No. M03-71
APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030601 **[Appointment, Entertainment Commission]**
Motion approving the Mayor's nomination for appointment of Bowman Leong to the Entertainment Commission, term to be determined. (Mayor)

(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - 4/1/03.
No fiscal impact.)

Motion No. M03-72
APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030603 **[Appointment, Entertainment Commission]**
Motion approving the Mayor's nomination for appointment of Bruce G. Lorin to the Entertainment Commission, term to be determined. (Mayor)

(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - 4/1/03.
No fiscal impact.)

Motion No. M03-73
APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030550 **[Appointment, Entertainment Commission]**

Motion approving the Mayor's nomination for appointment of Audrey Joseph to the Entertainment Commission, term to be determined. (Mayor)

(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - 4/1/03.
No fiscal impact.)

Motion No. M03-70

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; homeless issues
Richard Robinson; homeless issues
Cecilia Martinez; to be laid off on May 1, 2003 from the Airport
Male Speaker; to be laid off on May 1, 2003 from the Airport
Gerry Welch; Airport Worker requested the Supervisor to save the janitors jobs at the Airport
Carlos Gonzalez; to be laid off on May 1, 2003 from the Airport
Tim Brown, Local 1877 represent Airport janitors; requested the Supervisors to save the janitors jobs at the Airport
James Chaffee; SF Library issues
Mr. Herzalla; Airport worker requested the Supervisors to save janitor's jobs at the Airport
Male Speaker; pending legislation relating to Chapter 12 D
Peter Warfield; library issues and issues regarding acquiring documents

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

City as Plaintiff

Supervisor Newsom noted absent at 4:00 p.m.
Supervisor Hall noted absent at 4:15 p.m.

030674 **[Closed Session - Existing Litigation, City as Plaintiff]**
Supervisor Gonzalez

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney regarding the following existing litigation in which the City alleges, in sum, that manufacturers, distributors and dealers of handguns have created a public nuisance and engaged in unfair and unlawful business practices by distributing guns in ways that enable criminals and juveniles to acquire them.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuit listed below.

People of the State of California v. Arcadia Machine & Tool, Inc., et al.
J. C. C. P. No. 4095 (originally S. F. Superior Court No. 303-753 (filed May 25, 1999), pending before the Hon. Vincent P. DiFiglia in San Diego Superior Court.

Supervisor Daly, seconded by Supervisor Maxwell, moved to convene in Closed Session. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Hall, Newsom

Recess

The Board recessed at the hour of 4:15 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 4:30 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval - 9

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above existing litigation.

Persons in attendance:
Supervisors Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Owen Clements, Deputy City Attorney
Ingrid Evans, Deputy City Attorney
Kristine Poplawski
Ted Lakey, Deputy City Attorney
Gloria L. Young, Clerk of the Board
Kay Gulbengay, Deputy Clerk

Meeting was informational only and no action was taken.

Heard in Closed Session.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

Supervisor Peskin, seconded by Supervisor Daly, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Hall, Newsom

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Supervisor McGoldrick was noted absent at 3:55 p.m.
Supervisor Newsom was noted absent at 4:00 p.m.

030694 **[Commend Saint Anthony Foundation]**
Supervisors Daly, Dufty, Hall, Newsom

Resolution commending the Saint Anthony Dining Room for serving their 30 millionth meal on April 30, 2003.

Supervisors Hall and Newsom requested to be added as co-sponsors.

Resolution No. 269-03
ADOPTED

030695 **[Commend Laura Ware]**
Supervisor Daly

Resolution commending Laura Ware for fourteen years of leadership, commitment, and dedicated service to improving the lives of homeless people in San Francisco.

Resolution No. 284-03
ADOPTED

030696 **[Re-creation of Community Land Trust Task Force]**
Supervisors Gonzalez, Daly

Resolution re-creating the Community Land Trust Task Force and re-appointing Peter Doty, Marianne Love, Lotus Yee Fong, Ada Chan, Lisa Feldstein, Rene Cazenave, Marc Solomon, James Tracy, Rick Lewis, Ash Kumar Gujral, Philip Williams, and Mark Wilson, for the purpose of adopting a draft report, reporting back to the Board and sunset its operations within two months of the adoption of this resolution.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 285-03
ADOPTED

030697 **[Full Citizenship for members of the Armed Forces]**
Supervisors Hall, Dufty, Newsom

Resolution urging the President of the United States of America to take actions necessary to guarantee the awarding of full American citizenship to every man and woman serving in the United States Armed Forces in the War in Iraq or upon their favorable discharge from the Armed Forces.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 286-03
ADOPTED

030698 **[San Francisco Medical Society]**
Supervisors Hall, Dufty, Newsom

Resolution commending the San Francisco Medical Society for its 135 years as a professional association representing physicians in the City and County of San Francisco.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 287-03
ADOPTED

030699 **[Asian Pacific American Heritage Month]**
Supervisors Newsom, Dufty, Ma, Peskin

Resolution declaring May 2003 as "Asian Pacific American Heritage Month" in the City and County of San Francisco.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 288-03
ADOPTED

030700 **[Commend Department of the Environment]**
Supervisors Sandoval, Newsom

Resolution commending the Department of the Environment for their continuing support of A Living Library Project.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 289-03
ADOPTED

030701 **[Commend Education Not Incarceration]**
Supervisors Sandoval, Daly

Resolution commending the Education Not Incarceration coalition for holding a statewide rally in Sacramento on May 8, 2003 to protest Governor Gray Davis' decision to cut education spending while increasing prison spending.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 290-03
ADOPTED

030702 **[Assembly Bill 1006]**
Supervisor Sandoval

Resolution urging the California State Legislature to pass AB 1006: Healthy Schools Bill of 2003 to prohibit the use of the most highly toxic pesticides on school property.

Resolution No. 291-03
ADOPTED

030673 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M03-74
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 2 - McGoldrick, Newsom

OFF-AGENDA LEGISLATION

Ordinances

030689 **[Pass through to residential tenants 50% of water bill charges attributable to water rate increases resulting from issuance of PUC water system revenue bonds]**
Supervisors Daly, Maxwell

Draft ordinance amending Administrative Code Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance) by amending Sections 37.2, 37.3, and 37.8, to provide that landlords may pass through to residential tenants fifty percent (50%) of water bill charges attributable to water rate increases resulting from the issuance of any PUC water system revenue bonds authorized at the November 5, 2002 election, where a unit is in compliance with any applicable laws requiring water conservation devices; to provide that tenants be given notice of any such passthrough; to provide that any such passthrough does not become part of a tenant's base rent; to provide that a tenant may file a hardship application with the Rent Board for relief from all or part of the cost passthrough, and that if a hardship application is granted the affected landlord may utilize any available Public Utilities Commission low-income rate discount program or similar program for water bill reduction based on the tenant's hardship status; to provide that a tenant may file a petition with the Rent Board within one year of the effective date of a passthrough for determination of whether that passthrough is in compliance with the Code, and that the landlord bears the burden of proving the accuracy of the passthrough calculations in such a hearing; clarification of other Rent Ordinance provisions, in order to distinguish general obligation bonds from water revenue bonds; and technical changes in order to conform to other recent Rent Ordinance amendments.

4/22/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

4/29/03, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance approved as to form. Sponsor requested this item be scheduled for consideration at the 4/30/03 meeting.

4/29/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030565 **[MOU - Supervising Probation Officers, Local 3]**
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 (for Supervising Probation Officers) to be effective July 1, 2003 through June 30, 2005. (Mayor)

4/8/03, RECEIVED AND ASSIGNED to Budget Committee.

4/29/03, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing new title.

4/29/03, ASSIGNED to Budget Committee.

030566 **[MOU - Operating Engineers, Local 3]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3, to be effective July 1, 2003 through June 30, 2005. (Mayor)

4/8/03, RECEIVED AND ASSIGNED to Budget Committee.

4/29/03, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing new title.

4/29/03, ASSIGNED to Budget Committee.

030567 **[MOU - Plasterers and Shophands, Local 66]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Plasterers and Shophands, Local 66, to be effective July 1, 2003 through June 30, 2005. (Mayor)

4/8/03, RECEIVED AND ASSIGNED to Budget Committee.

4/29/03, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing new title.

4/29/03, ASSIGNED to Budget Committee.

030568 **[MOU - Bricklayers, Stone Masons, Terrazzo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3, and Hod Carriers, Local 36]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Bricklayers, Stone Masons, Terrazzo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3, and Hod Carriers, Local 36, to be effective July 1, 2003 through June 30, 2005. (Mayor)

4/8/03, RECEIVED AND ASSIGNED to Budget Committee.

4/29/03, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing new title.

4/29/03, ASSIGNED to Budget Committee.

030569 **[MOU - Federation of Professional and Technical Engineers, Local 21]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/8/03, RECEIVED AND ASSIGNED to Budget Committee.
4/29/03, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing new title.
4/29/03, ASSIGNED to Budget Committee.

030570 **[MOU - Deputy Sheriffs' Association]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Sheriffs' Association to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/8/03, RECEIVED AND ASSIGNED to Budget Committee.
4/29/03, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing new title.
4/29/03, ASSIGNED to Budget Committee.

030572 **[MOU - MEA]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/8/03, RECEIVED AND ASSIGNED to Budget Committee.
4/29/03, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing new title.
4/29/03, ASSIGNED to Budget Committee.

030623 **[Amending Section 106 of the San Francisco Fire Code to Increase Fees For Services]**
Mayor, Supervisor Daly

Ordinance amending Section 106 of the San Francisco Fire Code to increase fees for Fire Department services, to become operative on its effective date or on July 1, 2003 whichever is later. (Mayor)
4/15/03, RECEIVED AND ASSIGNED to Budget Committee.
4/18/03, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.

Fee ad published in the SF Chronicle on 4/25/03 and 5/2/03.
4/29/03, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.
4/29/03, ASSIGNED to Budget Committee.

030624 **[Setting fees for emergency medical services provided by the Fire Department, granting authority to Fire Department to bill for such costs, and setting forth procedures]**
Mayor, Supervisor Daly

Ordinance amending San Francisco Health Code by repealing Section 117 as obsolete; amending San Francisco Health Code Sections 119, 120, 123, 124.1 and 124.5 to: (1) delete reference to Section 117 and add reference to Sections 128 and 128.1, (2) authorize the San Francisco Fire Department to bill for fees for emergency medical services, (3) authorize the San Francisco Fire Department to investigate the ability of patients to pay for the costs of emergency medical services, (4) include the San Francisco Fire Department as a Department for which it is a crime to conceal the ability to pay, (5) include reference to the San Francisco Fire Department in section regarding prima facie evidence of reasonableness of the fees, and (6) provide for a lien on third-party proceeds for costs of San Francisco Fire Department emergency medical services; and amend San Francisco Health Code by adding Section 128.1 to set fees for emergency medical services and supplies provided by the San Francisco Fire Department and to provide for annual increase in fees based on Medical Consumer Price Index. (Mayor)
4/15/03, RECEIVED AND ASSIGNED to Budget Committee.
4/18/03, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.

Fee ad published in the SF Chronicle on 4/25/03 and 5/2/03.
4/29/03, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.
4/29/03, ASSIGNED to Budget Committee.

030709 **[MOU - Transport Workers Union, Local 250-A (7410)]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 250-A (7410), to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030710 **[MOU - Building Inspectors' Association (for Class 6334, Chief Building Inspector]]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (for Class 6334, Chief Building Inspector) to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030711 **[MOU - Sheet Metal Workers International Union, Local 104]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Sheet Metal Workers International Union, Local 104, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030712 **[MOU - (I.A.T.S.E.), Local 16]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Alliance of Theatrical Stage Employees (I.A.T.S.E.), Local 16, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030713 **[MOU - Carpenters, Local 22]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Carpenters, Local 22, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030714 **[MOU - Laborers International Union, Local 261]**
Supervisors Daly, Maxwell

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030715 **[MOU - Pile Drivers, Divers, Wharf and Dock Builders, Local 34]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Pile Drivers, Divers, Wharf and Dock Builders, Local 34, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030717 **[MOU - Ironworkers, Local 377]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Ironworkers, Local 377, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030718 **[MOU - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030719 **[MOU - Stationary Engineers, Local 39]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Stationary Engineers, Local 39, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030720 **[MOU - Roofers, Local 40]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Roofers, Local 40, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030721 **[MOU - Painter's Local Union No. 4]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Painter's Local Union No. 4, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030722 **[MOU - Cement Masons, Local 580]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Cement Masons, Local 580, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030724 **[MOU - International Brotherhood of Electrical Workers, Local 6]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030725 **[MOU - Glaziers, Architectural Metal and Glass Workers Union, Local 718]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Glaziers, Architectural Metal and Glass Workers Union, Local 718, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030726 **[MOU - Teamsters, Local 853]**
Supervisors Daly, Maxwell

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 853, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030727 **[MOU - Teamsters, Local 856]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030731 **[MOU - Teamsters, Local 350]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030732 **[MOU - Transport Workers Union, Local 250-A Multi-Unit]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 250-A Multi-Unit, to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030733 **[MOU - Transport Workers Union, Local 200 (SEAM)]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 200 (SEAM), to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030734 **[MOU - Building Inspectors' Association (for Class 6331, Building Inspector and Class 6333, Senior Building Inspector)]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (for Class 6331, Building Inspector and Class 6333, Senior Building Inspector) to be effective July 1, 2003 through June 30, 2005. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Budget Committee.

030735 **[Appropriation, $714,075 - Environmental evaluation of various city projects]**
Supervisors Dufty, Daly

Ordinance appropriating $714,075 of surplus City Planning Commission Fees for professional services for preparation of Environmental Impact Reports (EIRs) related to community planning for San Francisco's eastern neighborhoods (Mission, South of Market, Showplace Square/Potrero Hill, Visitation Valley and Bayview/Hunter's Point) and salary and fringe benefits for existing unfunded positions involved in Contract supervision of the EIRs and to address backlogs in environmental evaluation of various city projects for fiscal year 2002-03, placing a reserve of $527,003. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)
4/29/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030736 **[Appropriation, $3,974,184 - Police Department]**
Ordinance appropriating a total of $4,725,783 from the General Reserve, consisting of $4,230,573 for the Police Department to cover over-expenditures in overtime, fringe benefits, workers compensation and non-personal services, and $495,210 for the Sheriff's Department for overtime, fringe benefits, and food associated with the provision of mutual aid to the Police Department during the anti-war demonstrations, for fiscal year 2002-03. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)
4/29/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030737 **[Preservation of Emergency Nature of Shelter; Prevention of Displacement, Prioritization, or Set-Asides of Shelter Beds Based Solely on Income]**
Supervisor McGoldrick

Ordinance adding Article II to Chapter 20 of the San Francisco Administrative Code to preserve the emergency nature of the City's shelter system and to prevent displacement of an individual from a shelter bed based solely on the individual's lack of income
4/29/03, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 5/29/2003.

030738 **[Residential Permit Parking Exemption - Itinerant Teachers]**
Supervisor Ammiano

Ordinance authorizing the Department of Parking and Traffic to issue city-wide permits to exempt San Francisco Unified School District itinerant teachers and designated school administrators from Residential Permit Parking regulations.
4/29/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 5/29/2003.

030739 **[Requiring for certain public work involving asphalt that the contractor use asphalt from the City asphalt plant]**
Supervisor Peskin

Draft ordinance adopting new Section 6.9 of Administrative Code Chapter 6, Article I, requiring that for all public work involving asphalt that public work contractors purchase the asphalt from the City asphalt plant.
4/30/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030742 **[Appropriation, $1,600,000 - Department of Elections]**
Supervisor Gonzalez

Ordinance appropriating funding not to exceed $1,500,000 from the General Fund Reserve for professional services to implement a ranked-choice voting system for the Department of Elections for fiscal year 2002-03.
4/29/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

030716 **[Confirming the appointment of Sue Bierman to the San Francisco Port Commission]**
Resolution confirming the appointment of Sue Bierman to the San Francisco Port Commission, to serve the remaining four-year term, ending May 1, 2006. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Rules Committee.

030723 **[Confirming the appointment of Michela Alioto-Pier to the San Francisco Port Commission]**
Resolution confirming the appointment of Michela Alioto-Pier to the San Francisco Port Commission, to serve the remaining four-year term, ending May 1, 2004. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Rules Committee.

030728 **[Confirming the appointment of Wilfred Hsu to the San Francisco Port Commission]**
Resolution confirming the appointment of Wilfred Hsu to the San Francisco Port Commission, to serve the remaining four-year term, ending May 1, 2006. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Rules Committee.

030729 **[Use of Former Embarcadero Freeway Parcel on Broadway Street]**
Resolution adopting a City policy regarding the use of the former Embarcadero Freeway right-of-way parcel known as Broadway Parcel I, on Broadway between Sansome and Battery Streets, Assessor Block 165, Lot 21, and the application of proceeds generated from its sale or other transfer. (Mayor)
4/29/03, RECEIVED AND ASSIGNED to Land Use Committee.

030730 **[Sale of Assessor's Block 3740, Lot 27 to Redevelopment Agency for $10,034,140]**
Resolution approving the sale of real property commonly known as Assessor's Block 3740, Lot 27 (consisting of approximately 34,057 square feet and located along the west side of Spear Street between Folsom and Howard Streets) to the San Francisco Redevelopment Agency for $10,034,140. (Mayor)

(Public Benefit Recipient.)
4/29/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030743 **[Lease, Parking Agreement and Negative Declaration for Piers 1½, 3 and 5]**
Supervisor Peskin

Resolution approving and authorizing a 66-year Lease with San Francisco Waterfront Partners, LLC for Piers 1½, 3 and 5, Approving Related Parking Agreement, and Adopting Findings of Mitigated Negative Declaration pursuant to California Environmental Quality Act.

(Public Benefit Recipient.)
4/29/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030752 **[Purchase of Real Property at 1298 Ocean Avenue for the Public Library]**
Supervisors Sandoval, Hall, Ma

Resolution authorizing the execution and performance of an Agreement of Purchase and Sale for Real Estate between the City and County of San Francisco and George Yasbek, a single man (the "Seller"), for the purchase of real property and improvements located at 1298 Ocean Avenue, San Francisco, for use as the Ingleside Branch Library of the San Francisco Public Library; adopting findings under the California Environmental Quality Act; and adopting the findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.

(Fiscal impact; Public Benefit Recipient.)
4/29/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030757 **[Extension of Planning Commission Review Period]**
Supervisor McGoldrick

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by amending Sections 311 and 312 to require expanded public notice of exterior alteration projects and requiring the Building and Planning Departments to issue implementing regulations within 90 days and report to the Board on the effectiveness of the ordinance no later than nine months thereafter.
4/29/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030758 **[Commend Gateway High School]**
Supervisors Gonzalez, Peskin

Resolution commending Gateway High School and Principal Peter Thorp for being recognized as a California Distinguished School.
4/29/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030759 **[Mount Davidson Commendation]**
Supervisors Hall, Peskin, Newsom

Resolution commending The City Attorney's Office, including Deputy City Attorneys Teresa Stricker, Ellen Forman, Kate Stacy and Mariam Morley, Former Deputy City Attorneys Mara Rosales, Peter Obstler and Elizabeth Dietrich for their successful efforts to defend the sale of the cross on Mount Davidson and the Council of Armenian American Organizations of Northern California for their successful efforts to preserve the cross on Mount Davidson as a memorial to the Armenian Genocide.
4/29/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030760 **[Jackson Square Special Use District]**
Supervisor Peskin

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code with respect to creation of the Jackson Square Special Use District.
4/29/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030761 **[US Senator Rick Santorum]**
Supervisor Newsom

Resolution urging Senator Rick Santorum to step down from his leadership position in the Republican Party and to apologize for his comments made on April 7th, 2003 to the Associated Press.
4/29/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030762 **[Fish Alley]**
Supervisors Newsom, Peskin

Resolution urging the San Francisco Port and the Port Commission to continue its discussion with the tenants of the building located at Wharf J10, specifically to seek options other than demolition of the building and structure at Wharf J10 in Fish Alley.
4/29/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030763 **[Declare May 2003 Safe Jobs for Youth Month]**
Supervisors Ma, Newsom, Maxwell

Resolution declaring May 2003 as "Safe Jobs for Youth Month" in the City and County of San Francisco.
4/29/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030764 **[Preserve and Expand Summer Programming]**
Supervisors Ma, Dufty, Newsom

Resolution supporting efforts to preserve and expand summer programming and urging City departments and the San Francisco Unified School District to identify ways to keep school buildings open for community-based organizations' usage.
4/29/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030765 **[Commend Chen Yi]**
Supervisor Ma

Resolution honoring the works and contributions of composer Chen Yi for the occasion on Dr. Chen's 50th birthday.
4/29/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030766 **[Supporting Senate Bill 848]**
Supervisors Ma, Maxwell, Newsom

Resolution urging the support of Senate Bill 848, which would double or increase the fines for specified traffic violations cited in school zones in any city or county that approves a required local implementing ordinance and authorize the use of these enhanced fine revenues for pedestrian and bicycle safety programs.
4/29/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030767 **[Declare May 6, 2003 as World Asthma Day in SF]**
Supervisors Maxwell, Ma, Newsom

Resolution declaring May 6th, 2003 as World Asthma Day in San Francisco.
4/29/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030768 **[Proud Young Women's Day]**
Supervisors Maxwell, Ma, Newsom

Resolution commending Martin Luther King Middle School for their efforts to empower and develop leadership in their young women and proclaiming May 14, 2003 as "Proud Young Women's Day in the City and County of San Francisco.
4/29/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030769 **[Proclaim May 19-25, 2003, as Public Works Week in SF]**
Supervisors Maxwell, Dufty, Hall, Peskin, Ma, Newsom

Resolution proclaiming May 19 through 25, 2003, as Public Works Week in San Francisco.
4/29/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030770 **[Supporting California Bicycle Commute Week]**
Supervisors Maxwell, Peskin, Newsom

Resolution supporting California Bicycle Commute Week May 12-16, 2003.
4/29/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

030751 **[SF Mental Health Rehabilitation Facility]**
Supervisor Ammiano

Hearing to consider the proposed plan to relicense the San Francisco Mental Health Rehabilitation Facility as a residential board and care facility and potential alternatives to this plan.
4/29/03, RECEIVED AND ASSIGNED to Budget Committee. Sponsor requests this item be scheduled for consideration at the May 5, 2003 meeting.

030753 **[Asthma Task Force's Strategic Plan]**
Supervisor Maxwell

Hearing to consider the Asthma Task Force's Strategic Plan.
4/29/03, RECEIVED AND ASSIGNED to City Services Committee.

030754 **[Police accountability, oversight options, and appointment of the Police Commission]**
Supervisor Gonzalez

Hearing concerning reports from the Office of the Controller, Office of Citizen's Complaints, City Attorney's Office, and the San Francisco Police Department regarding police accountability and oversight options, including composition and appointment of the Police Commission.
4/29/03, RECEIVED AND ASSIGNED to City Services Committee.

Motions

030756 **[Committee of the Whole]**
Supervisor Daly

Motion scheduling a Committee of the Whole to consider health service reductions (Bielenson Hearing), to be held on June 10, 2003 at 3:00 PM.
4/29/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030740 **[Amending Rule 4.29 at Board of Supervisors meetings]**
Supervisor Gonzalez

Motion amending Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that at meetings of the Board of Supervisors the recognition of public dignitaries shall occur at 2pm, and the recognition of commendations shall occur at 3pm.
4/29/03, RECEIVED AND ASSIGNED to Rules Committee.

030755 **[Amend Rule 3.9 - Board of Supervisors Meetings]**
Supervisor Gonzalez

Motion amending Rule 3.9 of the Rules of Order of the Board of Supervisors to provide that Public Announcements regarding the business of the City may be made during Roll Call for Introductions at meetings of the Board of Supervisors.
4/29/03, RECEIVED AND ASSIGNED to Rules Committee.

Charter Amendment

030741 **[Charter Amendment - Commission on the Environment]**
Supervisors Maxwell, Gonzalez, Sandoval

Charter Amendment (First Draft) to amend Section 4.118 to clarify the jurisdiction of the San Francisco Commission on the Environment.
4/29/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/29/2003.

PROPOSED ORDINANCES

030652 **[Amendments to the Municipal Elections Code]**

Ordinance amending the Municipal Elections Code to amend Sections 110, 200, 250, 260, 300, 360, 370, 500, 510, 530, 535, 550, 590, 595, and 800, add Sections 225 and 270, and delete Sections 830 and 930 to: Conform the Municipal Elections Code to recent changes in the Charter; change the deadlines for submission of materials for publication in the Voter Information Pamphlet; specify the public examination periods for each category of material submitted for publication in the Voter Information Pamphlet; modify the deadlines for delivery of the Voter Information Pamphlet prior to each general and special election; specify language for inclusion in the Voter Information Pamphlet concerning ballot measures which concern the same subject matter and which may have conflicting provisions; explicitly incorporate the State law that applies to local ballot designations; explicitly state the rules concerning ballot printing after the death of a candidate; impose a 100-word limit on bond measure statements; add definitions; correct outdated code references; codify departmental practice; and clarify ambiguous language. (Elections Department)

4/15/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/29/2003.

030643 **[Street Vacation for Metro East Project]**

Ordinance ordering the summary vacation of portions of 26th Street, Michigan Street, Georgia Street and Louisiana Street; making findings pursuant to the California Streets and Highways Code, Chapter 4, Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and ratifying acts and authorizing actions in furtherance of the ordinance. (Real Estate Department)

(No Public Benefit Recipient.)

4/16/03, RECEIVED AND ASSIGNED to Land Use Committee.

030034 **[Campaign Finance Reform Amendments of 2003]**
Supervisor Gonzalez

Ordinance amending Article 1, Chapter 1 of the Campaign and Governmental Conduct Code by amending sections 1.104, 1.114, and 1.148 to clarify and consolidate definitions; amending section 1.106 to clarify that State law is incorporated; amending section 1.108 to clarify that it applies only to candidates; amending section 1.110 to provide the Ethics Commission discretion to provide additional office hours prior to an election and to conform to minimum state law record retention periods; amending section 1.114 to apply contribution limits to affiliated entity contributions, to authorize the Ethics Commission to determine when contributions must be returned and to reduce or waive forfeiture penalties, and to clarifiy that limits apply to special elections; amending section 1.116 to extend loan limitations to candidates for all City elective offices and to authorize the Commission to adjust these amounts; amending section 1.122 to clarify that campaign funds may be used for officeholder expenses, to provide that certain surplus funds may be donated to charity, and that contributions transferred between a candidate's committees must be attributed to specific contributors; deleting section 1.124 on money laundering because the ordinance already incorporates state law provisions; amending section 1.126 to extend the time period city contractors are prohibited from making contributions to public officials who approve their contracts; amending section 1.128 to provide a penalty for violating an agreement to limit campaign spending; amending section 1.130 to clarify that expenditure ceilings apply in special elections and to reflect that spending limits have been adjusted for inflation; amending sections 1.134 and 1.152, deleting section 1.146 and adding a new section 1.135 to consolidate and harmonize provisions on lifting the spending limits; amending section 1.140 to correct cross-references, to require that candidates file a statement of intent to participate in public financing, to lower to $5,000 the threshold for qualifying for public financing, and to provide additional time for qualifying for public financing, amending section 1.142 to require filing of statement of intent to participate in public financing program; amending section 1.150 to provide that repayment of public funds shall be made to the Ethics Commission, rather than the Controller, for deposit in the Election Campaign Fund; amending section 1.152 to conform language to other amended sections; amending sections 1.144 and 1.154 to extend the time for the Ethics Commission to determine whether pro-ration is required; amending section 1.162 to clarify that the notice provision applies only to mass mailings; amending section 1.163 to require recordkeeping for recorded telephone messages; amending section 1.164 to clarify references; amending section 1.168 to eliminate language suggesting that persons can obtain immunity if they do not receive a response to a request for advice within a specified period of time; amending section 1.170 to increase the penalties for violations of the Ordinance to $5,000, to incorporate penalties described in section 1.172, and to clarify personal and joint and several liability; deleting section 1.172; and amending section 1.174 to clarify that the department of elections shall decline to certify a nomination if a candidate fails to file a statement regarding acceptance or rejection of spending limits.

(No Public Benefit Recipient.)
1/27/03, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 2/26/2003.
2/7/03, TRANSFERRED to Rules Committee. New committee structure 2/17/03.
4/17/03, SUBSTITUTED. Ethics Commission submitted a substitute ordinance bearing same title.
4/17/03, ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

030345 **[Acceptance of Gift]**
Resolution accepting a gift of $55,000 from the Market Street Railway and authorizing said funds to be expended for the purchase of Historic Streetcar #162 from the Orange Empire Railway Museum. (Municipal Transportation Agency)

(No Public Benefit Recipient.)
4/21/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030371 **[Agreement to Sell approximately 22,600 sq. ft. of unimproved real property located at Beale and Bryant Streets and to Lease Piers 30-32 to San Francisco Cruise Terminal, LLC]**

Resolution approving and authorizing an Agreement with San Francisco Cruise Terminal, LLC for the Sale of approximately 22,000 square feet of real property located at the corner of Beale and Bryant Streets on Seawall Lot 330; approving and authorizing a 66-year Lease with San Francisco Cruise Terminal, LLC for Piers 30-32; adopting findings that the conveyance is consistent with the City's General Plan and eight Priority Policies of City Planning Code Section 101.1; authorizing expenditure of proceeds received under the Sale Agreement towards costs of the Brannan Street Wharf and Piers 30-32 Cruise Terminal Project; and authorizing the Port's Executive Director and the City's Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Port)

(Public Benefit Recipient; companion measure to File 030379.)

4/17/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030379 **[CEQA Findings for Cruise Terminal Mixed-Use Project]**

Resolution adopting findings pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, including a statement of overriding considerations, in connection with the proposed mixed-use Cruise Terminal Project, located on Pier 30-32, a condominium tower on a portion of Seawall Lot 330, and a public open space project in the location of Pier 34 and 36, in the Port of San Francisco, City and County of San Francisco. (Port)

4/17/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030538 **[Professional Services Contract]**

Supervisors Maxwell, Sandoval, McGoldrick

Resolution approving the Public Utilities Commission's approval of Amendment No. 2 to Contract No. CS-524, Program Management Contract, changing the designated consultant's title, name references, and setting the criteria for the payment of performance fees; and approving the renewal of Contract No. CS-524, the Water Infrastructure Partners (WIP) for a third year; and approving the release of contract Year 3 reserved funds of $5.188M. (Public Utilities Commission)

(No Public Benefit Recipient.)

4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030653 **[Mayor's Summer Food Service Program]**

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of $485,794 from the United States Department of Agriculture for Mayor's Summer Food Service Program. (Mayor)

(No Public Benefit Recipient.)

4/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Department requests this item be calendared at the April 30, 2003 meeting.

In Memoriams

Patricia E. Evans (Entire Board)
Margarete Connolly (Entire Board)
John Reilly (Supervisor Hall)
Diana Chung (Supervisor Ma)
David Clark (Supervisor Maxwell)

ADJOURNMENT

There being no further business, the Board at the hour of 4:35 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 10, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

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Tuesday, May 6, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll, the following Supervisors were noted absent.

Supervisors Daly, Maxwell, Sandoval - 3

Quorum present.

Supervisors Daly and Sandoval were noted present at 2:05 p.m.
Supervisor Maxwell was noted present at 2:06 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Newsom, moved to approve April 8, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin
Absent: 3 - Daly, Maxwell, Sandoval

Privilege of the Floor

Supervisor Sandoval, seconded by Supervisor Dufty, moved moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant the privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Sandoval introduced, welcomed and presented Certificates of Honor to Peg Hickox, RN, Director of OMI Family Center, Teresita Gatan, RN and Agnes Morton, RN, M.S. M.P.H in recognition of National Nurses Week.

CONSENT AGENDA

Recommendations of the City Services Committee

030576 **[State Grant - Police Department]**
Mayor, Supervisors Dufty, Newsom

Resolution authorizing the Police Department to retroactively accept and expend a grant from the State of California Controller's Office for funding technology-related acquisitions to enhance public safety. (Mayor)

(Public Benefit Recipient.)

Resolution No. 299-03
ADOPTED

Recommendations of the Rules Committee

030475 **[Settlement of Lawsuit - Sohail Ali, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Sohail Ali against the City and County of San Francisco for $47,500; the lawsuit was filed on April 29, 2002 in San Francisco Superior Court, Case No. 407-277; entitled Sohail Ali, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

030500 **[Settlement of Lawsuit - Poppie Kouremetis]**
Ordinance authorizing the City Attorney to make an offer of judgment under Federal Rule of Civil Procedure 68 of up to $75,000 in settlement of damages, attorneys' fees, and costs in the matter of Kouremetis and County of San Francisco. The lawsuit was filed on May 13, 2002, in San Francisco Superior Court, Case No. 407852 entitled Kouremetis v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

030539 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Alison Duthie and other plaintiffs against the City and County of San Francisco and other defendants for $175,000; the lawsuit was filed on February 15, 2000 in United States District Court, Case No. C00-0539 (MEJ); entitled Alison Duthie, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

022056 **[Appointment]**

Resolution appointing Nino Parker, William Kenneth Cleaveland and Gideon Kramer, terms indefinite, to the Graffiti Advisory Board.

Nino Parker, new position, seat 3, must represent Youth Groups who provide services for juveniles involved in alternative programs for graffiti diversion, for an indefinite term.
William Kenneth Cleaveland, new position, seat 12, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term.
Gideon Kramer, new position, seat 14, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term.

Resolution No. 293-03
ADOPTED

030560 **[Appointment]**

Resolution appointing Cathy Russo, term ending March 31, 2004; Leonard Ke and William Hollabaugh terms ending March 31, 2005, to the Commission on the Aging Advisory Council.

Cathy Russo, succeeding Reeva Olson, term expired, seat 6, must be nominee of Supervisor Hall, for the unexpired portion of a two-year term ending March 31, 2004.
Leonard Ke, succeeding himself, term expired, seat 9, must be nominee of Supervisor Gerardo Sandoval, for a two-year term ending March 31, 2005.
William Hollabaugh, succeeding himself, term expired, seat 11, must be nominee of Supervisor Tom Ammiano, for a two-year term ending March 31, 2005.

Resolution No. 298-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Severed From the Consent Agenda

Supervisor Daly requested that this matter to be severed so that it can be considered separately.

030574 **[Agreement for Security Information Exchange Network]**
Mayor, Supervisor Dufty

Resolution authorizing the Director of Transportation to execute an agreement between the Federal Bureau of Investigation (FBI) and the City and County of San Francisco, enabling the Municipal Transportation Agency to participate in the Federal Government's cooperative known as InfraGard, which allows for the exchange of security information between the Federal Government and major transit agencies. (Mayor)

Supervisor Sandoval, seconded by Supervisor Ammiano, moved that this Resolution be RE-REFERRED to the City Services Committee. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Sandoval requested that this matter to be severed so that it can be considered separately.

030575 **[State Grant - Mayor's Office of Criminal Justice]**
Mayor, Supervisors Dufty, Newsom

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of $2,634,179 from the State Board of Corrections, from funds made available under Assembly Bill 1913 - known as the Schiff-Cardenas Crime Prevention Act of 2000 (CPA 2000), for programs and approaches that have been demonstrated to be effective in reducing delinquency. (Mayor)

(Public Benefit Recipient.)

Continued to May 13, 2003.

Supervisor Sandoval, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Peskin requested that this matter to be severed so that it can be considered separately.

030328 **[Settlement of Unlitigated Claim]**
Supervisors Hall, Ma

Ordinance approving settlement of an unlitigated claim by the City and County of San Francisco, acting by and through its Airport Commission, against D. Mitchell Concessions, Inc., by approving a lease of three coffee facilities in the Domestic Terminals and the main restaurant in the International Terminal, to one or more entities formed by Glenn Meyers, Dayna Meyers, and Garrett Meyers, approving the suspension of the Minimum Annual Guarantee for two Airport restaurants, waiving the competitive solicitation requirement in San Francisco Administrative Code Section 2A.173, and authorizing the Airport Director to execute agreements in furtherance of the foregoing.

Continued to May 13, 2003

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

UNFINISHED BUSINESS

REGULAR AGENDA

Recommendations of the Land Use Committee

021642 **[Zoning Map amendment extending the existing RM-1 district in Assessor's Block 6501 to include Lot 042]**

Supervisor Dufty

Ordinance amending Zoning Map Sheet 7 of the City and County of San Francisco to extend the existing RM-1 district in Assessor's Block 6501 to include Lot 042; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan and finding that the Ordinance is exempt/excluded from environmental review.

Ordinance No. 89-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030221 **[Residential Rentals]**

Supervisor Peskin

Ordinance amending Administrative Code Chapter 49 "Security Deposits for Residential Rental Property," by amending Section 49.2 to provide that the annual landlord interest payments on security deposits shall be calculated at the interest rate in effect when an annual interest payment is due, and that any required pro rata interest payment shall be calculated at the interest rate in effect when that pro rata payment is due.

Ordinance No. 90-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030325 **[Residential Rent Ordinance: conform to State Ellis Act amendments]**
Supervisor Peskin

Ordinance (1) conforming the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) to State law amendments to the Ellis Act (California Government Code Sections 7060 et seq.), by amending Section 37.9A to provide that, for new tenancies established after December 31, 2002, the same rent control restrictions that were in effect for the unit at the time a notice of intent to withdraw the unit from the rental or leased housing market was filed with the Rent Board remain in effect for any and all new or subsequent tenancies established during the five year period after filing the notice of intent, and for the five year period following actual withdrawal of the unit from the rental or leased housing market; (2) amending Section 37.9A to provide that half of the required relocation payment due to low-income, elderly or disabled tenants is due within fifteen (15) days of the landlord's receipt of the tenant's notice of entitlement, and the remaining half is due when the tenant vacates the unit; (3) amending Section 37.9A to require that an owner notify the Rent Board if the owner disputes a tenant's claim of entitlement to one-year notice due to being elderly or disabled; and, (4) conforming numbering.

Ordinance No. 91-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of the Rules Committee

020938 **[Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]**
Supervisors Ammiano, Gonzalez, Dufty, Hall, Newsom, Ma

Charter Amendment (Fifth Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.

6/10/03 Amended on page 1, after "of such contract" by adding New Paragraph "Contracts and contract amendments shall be cost-neutral and employee bargaining units shall be permitted to trade salary or other employee-paid benefits to achieve cost-neutrality. The Board of Supervisors or the Community College District is empowered to determine compliance under this section."

Continued to May 20, 2003
Supervisor Newsom requested to be added as a co-sponsor.
Supervisor Peskin, seconded by Supervisor Sandoval, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

NEW BUSINESS

Recommendations of the City Services Committee

030277 **[Supporting Sustainable Harvesting and Providing Consumer Information for Seafood]**
Supervisor Sandoval

Resolution supporting the promotion of sustainable harvesting and providing consumer information for seafood in San Francisco restaurants and markets.

Resolution No. 294-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030278 **[Supporting Protection of Chilean Sea Bass]**
Supervisor Sandoval

Resolution urging the U.S. government to achieve greater protections for Chilean Sea Bass and urging all chefs, retailers, wholesalers and consumers to stop consuming Chilean Sea Bass until action is taken to protect Chilean Sea Bass from extinction.

Resolution No. 295-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Finance and Audits Committee

030639 **[Federal Funding - Community Development Grant]**
Mayor, Supervisor Newsom

Resolution approving the 2003 Community Development Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2003 Community Development Block Grant (CDBG) entitlement from the U. S. Department of Housing and Urban Development, and Program Income of $34,246,928 which include indirect costs of $150,000, and approving expenditure schedules for recipient departments and agencies and for indirect costs; placing $567,262 on reserve. (Mayor)

(No fiscal impact; Public Benefit Recipient.)

Supervisor Newsom requested to be added as a co-sponsor.
Resolution No. 301-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030640 **[Federal Funding - Emergency Shelter Grants Program]**
Mayor, Supervisor Newsom

Resolution approving the 2003 Emergency Shelter Grants Program and Expenditure Schedule; and authorizing the Mayor on behalf of the City and County of San Francisco to accept, and expend a $867,000 entitlement under the Emergency Shelter Grants Program from the U. S. Department of Housing and Urban Development. (Mayor)

(No fiscal impact; Public Benefit Recipient.)

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 302-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030641 **[Federal Funding - Home Program]**
Mayor, Supervisor Newsom

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the U. S. Department of Housing and Urban Development for a total amount of $8,804,657 which include indirect cost of $10,000 for the HOME Program authorized under TITLE II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the HOME Program description as described in the 2003 Action Plan for San Francisco's Consolidated Plan. (Mayor)

(Public Benefit Recipient.)

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 303-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030630 **[PUC Commercial Paper Issuance]**
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom

Resolution approving the issuance of not to exceed $250,000,000 aggregate principal amount outstanding at any one time of the San Francisco Public Utilities Commission Commercial Paper Notes (Water Series) pursuant to Article V of Chapter 43 of Part I of the San Francisco Municipal Code for the purpose of financing certain capital improvements related to the water enterprise; approving the maximum interest rate thereon; and related matters. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)

Supervisors Dufty and Newsom requested to be added as co-sponsors.

Resolution No. 300-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030617 **[Funding for the SFPUC Capital Improvement Program, Fiscal Year 2002-03]**
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance appropriating $66,075,000 of funding from the sale of commercial paper for capital projects and financing costs pursuant to the San Francisco Public Utilities' Commission Capital Improvement Program for fiscal year 2002-03. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)

Supervisors Dufty and Newsom requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030538 **[Professional Services Contract]**
Supervisors Maxwell, Sandoval, McGoldrick, Dufty

Resolution approving the Public Utilities Commission's approval of Amendment No. 2 to Contract No. CS-524, Program Management Contract, changing the designated consultant's title, name references, and setting the criteria for the payment of performance fees; and approving the renewal of Contract No. CS-524, the Water Infrastructure Partners (WIP) for a third year; and approving the release of contract Year 3 reserved funds of $5.052M. (Public Utilities Commission)

(Fiscal impact; No Public Benefit Recipient.)

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 297-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

From the Finance Committee "Without Recommendation"

030689 **[Pass through to residential tenants 50% of water bill charges attributable to water rate increases resulting from issuance of PUC water system revenue bonds]**
Supervisors Daly, Maxwell, Dufty

Ordinance amending Administrative Code Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance) by amending Sections 37.2, 37.3, and 37.8, to provide that landlords may pass through to residential tenants fifty percent (50%) of water bill charges attributable to water rate increases resulting from the issuance of any PUC water system revenue bonds authorized at the November 5, 2002 election, where a unit is in compliance with any applicable laws requiring water conservation devices; to provide that landlords give tenants notice of any such passthrough on a Rent Board form, and that a tenant is entitled to a copy of the water bill from the landlord upon request; to provide for a line item on each water bill showing the charge per unit of water that is attributable to water rate increases resulting from issuance of such bonds, multiplied by the total units of water used by that customer during the billing cycle; to provide that where one water bill covers multiple units, the permissible passthrough per unit is calculated by dividing 50% of that line item amount by the total number of units covered by the bill (including any commercial units); to provide that any such passthrough does not become part of a tenant's base rent; to provide that a tenant may file a hardship application with the Rent Board for relief from all or part of the cost passthrough, and that if a hardship application is granted the affected landlord may utilize any available Public Utilities Commission low-income rate discount program or similar program for water bill reduction based on the tenant's hardship status; to provide that a tenant may file a petition with the Rent Board within one year of the effective date of a passthrough for determination of whether that passthrough is in compliance with the Code, and that the landlord bears the burden of proving the accuracy of the passthrough calculations in such a hearing; clarification of other Rent Ordinance provisions, in order to distinguish general obligation bonds from water revenue bonds; and technical changes in order to conform to other recent Rent Ordinance amendments.

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Land Use Committee

020295 **[Golden Triangle Light Standards as Landmark]**
Supervisors McGoldrick, Peskin

Ordinance Designating The Golden Triangle Light Standards As Landmark No. 233 Pursuant To Article 10, Sections 1004 And 1004.4 of the Planning Code.

Supervisor Peskin requested to be added as a co-sponsor.
PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030356 **[Renewable Tidal Energy]**
Supervisors Gonzalez, Ammiano, Peskin, Daly, McGoldrick, Sandoval, Maxwell, Newsom

Resolution supporting the development of a one megawatt renewable tidal energy pilot project within three years.

Supervisor Newsom requested to be added as a co-sponsor.
Resolution No. 296-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

From the Land Use Committee "Without Recommendation"

030629 **[United Nations Plaza]**
Supervisor Daly

Approving Accepting the final report of the U.N. Plaza Working Group, urging that the Art Commission, Planning Commission, DPW, Mayor's Office, and BART take steps to act on implement the report

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution accepting the final report of the U.N. Plaza Working Groups, urging that the Art Commission, Planning Commission, DPW, Mayor's Office and BART to act on the report.

(No fiscal impact.)

Continued to May 20, 2003
CONTINUED AS AMENDED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

Recommendations of the Rules Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Peskin assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

030578 **[Amend Resolution No. 675-02 - Board and Committee Meetings.]**
Supervisor Gonzalez

Resolution amending Resolution No. 675-02 to provide that neither the Board of Supervisors nor any of its Committees shall convene regularly scheduled meetings weeks when a holiday occurs, effective beginning the week of May 26, 2003, except that regularly scheduled Board and Committee meetings may be held on Monday through Wednesday of Thanksgiving week, and shall not be scheduled during the week following Thanksgiving.

President Gonzalez, seconded by Supervisor Hall, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution No. 292-03
ADOPTED AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030579 **[Amend Rule 6.2 - Board of Committee Meetings]**
Supervisor Gonzalez

Motion amending Rule 6.2 of the Rules of Order of the Board of Supervisors to provide that neither the Board of Supervisors nor any of its Committees shall convene regularly scheduled meetings during weeks when a holiday occurs, effective beginning the week of May 26, 2003, except that regularly scheduled Board and Committee meetings may be held on Monday through Wednesday of Thanksgiving week, and shall not be scheduled during the week following Thanksgiving.

President Gonzalez, seconded by Supervisor Hall, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Motion No. M03-75
APPROVED AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030580 **[Amend Rule 4.34 - Supervisors Vote and Roll Call]**
Supervisor Gonzalez

Motion amending Rule 4.34 of the Rules of Order of the Board of Supervisors to provide that the first Supervisor to be called on a vote shall be the same Supervisor who is called first on Roll Call under Rule 3.9, effective June 10, 2003.

Motion No. M03-77
APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030192 **[Establishing San Francisco Zoo Audit Select Committee]**
Supervisor Gonzalez

Motion creating a San Francisco Zoo Audit Select Committee.

Motion No. M03-76
APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdulla Megaheed; homeless issues
Vernon Jenkins; general issues
James Chaffee; library issues
Roger Brandley; fee issues
Amos Brown, Senior Pastor of 3rd Baptist Church, requested Board to keep Milestone Treatment Center for felons center, Liberation House open speaking as President, SF NAACP raised issues regarding education for African American children
Female speaker; issues regarding United Nations Plaza
Male Speaker; general issues Resolution HR 20 and war issues
Slyvia Johnson; general issues
Male speaker; homeless issues
Francisco Di Costa; Bill 1187
Peter O'Donnell; Tidal Energy
Tom McDonagh; mid market
Male Speaker; issues that Supervisors are not present during public comment
Female Speaker; war issues
Ms. Rolleridge; requested Board to urge Congress to amend HJ 20
Joan Holden; defense of public squares
Male Speaker; Civil Rights Advocates issues regarding homeless living in vehicles
Female Speaker; SF police issues
Martha Byington; attorney for homeless individuals in the Dog Patch District
Female Speaker; general issues
Female Speaker; general issues
Female Speaker; war issues
Female Speaker; general issues
Male Speaker; general issues

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

030756 **[Committee of the Whole]**
Supervisor Daly

Motion scheduling a Committee of the Whole to consider health service reductions (Bielenson Hearing), to be held on June 10, 2003 at 3:00 PM.

Motion No. M03-79
APPROVED

030757 **[Extension of Planning Commission Review Period]**
Supervisor McGoldrick

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by amending Sections 311 and 312 to require expanded public notice of exterior alteration projects and requiring the Building and Planning Departments to issue implementing regulations within 90 days and report to the Board on the effectiveness of the ordinance no later than nine months thereafter.

Resolution No. 304-03
ADOPTED

030758 **[Commend Gateway High School]**
Supervisors Gonzalez, Peskin

Resolution commending Gateway High School and Principal Peter Thorp for being recognized as a California Distinguished School.

Supervisor Peskin requested to be added as a co-sponsor
Resolution No. 305-03
ADOPTED

030759 **[Mount Davidson Commendation]**
Supervisors Hall, Peskin, Newsom

Resolution commending The City Attorney's Office, including Deputy City Attorneys Teresa Stricker, Ellen Forman, Kate Stacy and Mariam Morley, Former Deputy City Attorneys Mara Rosales, Peter Obstler and Elizabeth Dietrich for their successful efforts to defend the sale of the cross on Mount Davidson and the Council of Armenian American Organizations of Northern California for their successful efforts to preserve the cross on Mount Davidson as a memorial to the Armenian Genocide.

Supervisors Peskin and Newsom requested to be added as co-sponsors.
Resolution No. 306-03
ADOPTED

030760 **[Jackson Square Special Use District]**
Supervisor Peskin

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code with respect to creation of the Jackson Square Special Use District.

Resolution No. 307-03
ADOPTED

030761 **[US Senator Rick Santorum]**
Supervisor Newsom

Resolution urging Senator Rick Santorum to step down from his leadership position in the Republican Party and to apologize for his comments made on April 7th, 2003 to the Associated Press.

Resolution No. 308-03
ADOPTED

030763 **[Declare May 2003 Safe Jobs for Youth Month]**
Supervisors Ma, Newsom, Maxwell

Resolution declaring May 2003 as "Safe Jobs for Youth Month" in the City and County of San Francisco.

Resolution No. 309-03
ADOPTED

030764 **[Preserve and Expand Summer Programming]**
Supervisors Ma, Dufty, Newsom

Resolution supporting efforts to preserve and expand summer programming and urging City departments and the San Francisco Unified School District to identify ways to keep school buildings open for community-based organizations' usage.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 310-03
ADOPTED

030765 **[Commend Chen Yi]**
Supervisor Ma

Resolution honoring the works and contributions of composer Chen Yi for the occasion on Dr. Chen's 50th birthday.

Resolution No. 311-03
ADOPTED

030766 **[Supporting Senate Bill 848]**
Supervisors Ma, Maxwell, Newsom

Resolution urging the support of Senate Bill 848, which would double or increase the fines for specified traffic violations cited in school zones in any city or county that approves a required local implementing ordinance and authorize the use of these enhanced fine revenues for pedestrian and bicycle safety programs.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 312-03
ADOPTED

030767 **[Declare May 6, 2003 as World Asthma Day in SF]**
Supervisors Maxwell, Ma, Newsom

Resolution declaring May 6th, 2003 as World Asthma Day in San Francisco.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 313-03
ADOPTED

030768 **[Proud Young Women's Day]**
Supervisors Maxwell, Ma, Newsom

Resolution commending Martin Luther King Middle School for their efforts to empower and develop leadership in their young women and proclaiming May 14, 2003 as "Proud Young Women's Day in the City and County of San Francisco.

Supervisors Ma and Newsom requested to be added as co-sponsors.

Resolution No. 314-03
ADOPTED

030769 **[Proclaim May 19-25, 2003, as Public Works Week in SF]**
Supervisors Maxwell, Dufty, Hall, Peskin, Ma, Newsom

Resolution proclaiming May 19 through 25, 2003, as Public Works Week in San Francisco.

Supervisors Peskin, Ma and Newsom requested to be added as co-sponsors.

Resolution No. 315-03
ADOPTED

030770 **[Supporting California Bicycle Commute Week]**
Supervisors Maxwell, Peskin, Newsom

Resolution supporting California Bicycle Commute Week May 12-16, 2003.

Supervisors Peskin and Newsom requested to be added as co-sponsors.

Resolution No. 316-03
ADOPTED

030659 **[Final Map for a 15 Unit Commercial and Live/Work Condominium Project]**
Motion approving Final Map of 2900 22nd Street, a Commercial and Live/Work Condominium Project, being a subdivision of Lots 9 and 10, Assessor's Block No. 3613, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,081; District 9.)

Motion No. M03-78
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Severed from Without Committee Reference Agenda

Supervisor Peskin requested that this matter be severed so that it could be considered separately.

030762 **[Fish Alley]**
Supervisors Newsom, Peskin

Resolution urging the San Francisco Port and the Port Commission to continue its discussion with the tenants of the building located at Wharf J10, specifically to seek options other than demolition of the building and structure at Wharf J10 in Fish Alley.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 320-03

ADOPTED.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Sandoval, seconded by Supervisor Dufty, moved ADOPTION of the Commendatory Finding Act. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Sandoval, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

030796 **[Commending the Mission Branch YMCA]**
Supervisor Sandoval

Resolution commending the Mission YMCA for 50 years of outstanding service to the residents of San Francisco.

Resolution No. 317-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

030797 **[Recognizing Bettye Opal Simon-Johnson.]**
Supervisor Sandoval

Resolution recognizing the life and work of Bettye Opal Simon-Johnson.

Resolution No. 318-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

OFF-AGENDA LEGISLATION

Ordinances

030803 **[Appropriation - $6,000,000 for the Public Education Programs]**
Supervisors Daly, Ma, Dufty

Ordinance appropriating $2,000,000 of Delinquent Payroll Tax Revenue and $4,000,000 from the State Revenue Stabilization Reserve for a total of $6,000,000 for public education programs for fiscal year 2002-03.

(Fiscal impact; Supervisors Peskin and Maxwell dissenting in committee.)
5/6/03, RECEIVED AND ASSIGNED to Budget Committee. Sponsor requests this item be scheduled for consideration at the May 12, 2003 meeting.

030737 **[Preservation of Emergency Nature of Shelter; Prevention of Displacement, Prioritization, or Set-Asides of Shelter Beds Based Solely on Income]**
Supervisors McGoldrick, Daly

Ordinance adding Article II to Chapter 20 of the San Francisco Administrative Code to preserve the emergency nature of the City's shelter system; to prevent displacement of an individual from a shelter bed based solely on that individual's income, and to prohibit prioritization or set-asides of shelter beds based on income.
4/29/03, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 5/29/2003.
5/5/03, ASSIGNED to City Services Committee. 30-day rule waived per May 5, 2003 memo from Board President.
5/6/03, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.
5/6/03, ASSIGNED to City Services Committee.

030804 **[Appropriation - $700,000 for the Airport custodial services]**
Supervisors Sandoval, Daly, Gonzalez, McGoldrick, Peskin, Ammiano, Maxwell, Ma

Ordinance rescinding $700,000 of unencumbered appropriation authority for the Airport Runway Configuration capital project and appropriating $700,000 in fund balance for custodial services for the Airport Commission for fiscal year 2002-03.

(Fiscal impact.)
5/6/03, RECEIVED AND ASSIGNED to Budget Committee.

030810 **[Jobs-Housing Linkage Program and the Child Care Fee]**
Supervisor Peskin

Ordinance amending Section 313.1 of the Planning Code to authorize the Planning Department, the Mayor's Office of Housing and the Department of Building Inspection to delegate responsibilities under the Jobs-Housing Linkage Program, and amending Section 314.1 of the Planning Code to authorize the Planning Department to delegate responsibilities under the Child Care Fee.
5/6/03, RECEIVED AND ASSIGNED to Land Use Committee.

030811 **[Creating Exemption for Administrative Fee for Provision of Additional Police Services Pursuant to Administrative Code Section 10B.2]**
Supervisor Peskin

Ordinance amending San Francisco Police Code Section 10B.2 to create an exception for payment of an administrative fee for contracting for additional police services.
5/6/03, RECEIVED AND ASSIGNED to City Services Committee.

030813 **[Government Funding, Fiscal Year 2003-04]**
Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for selected departments of the City and County of San Francisco as of May 1, 2003, for fiscal year ending June 30, 2004. (Controller)
5/6/03, RECEIVED AND ASSIGNED to Budget Committee.

030830 **[Public Works Code Permit Fees and Assessment]**
Mayor

Ordinance adding Article 2.1 of the Public Works Code to add sections 2.1.1, 2.1.2, 2.1.3, and 2.1.4 concerning permit fees and occupancy assessments, specifying procedures to establish such permit fees and assessments, amending section 2.4.45 to modify the procedures for fee review and adjustments, and making environmental findings. (Mayor)
5/6/03, RECEIVED AND ASSIGNED to Budget Committee.

Resolutions

030793 **[Opposition to the Proposed Potrero Unit 7 Power Plant]**
Supervisors Maxwell, Ammiano, Daly, McGoldrick

Resolution opposing the proposed Potrero Unit 7 power plant project and urging City officials and departments not to enter into any agreements that may be required to facilitate or enable the siting, licensing, approval or construction of the proposed Potrero Unit 7 power plant and urging the City Attorney to actively oppose the Potrero Unit 7 project in all forums.
5/6/03, RECEIVED AND ASSIGNED to Land Use Committee.

030794 **[Exclusive Negotiating Agreement for Development of the Old Mint]**
Mayor, Supervisors Daly, Peskin, Newsom, Dufty, Sandoval, Maxwell

Resolution endorsing the City entering into an Exclusive Negotiating Agreement with the San Francisco Museum and Historical Society for the development of the Old Mint. (Mayor)
5/6/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Supervisor Daly requested to be added as co-sponsor.

030795 **[Conveyance of Old Mint]**
Mayor, Supervisors Daly, Peskin, Newsom, Dufty, Sandoval, Maxwell

Resolution authorizing the City to accept title to the Old Mint pursuant to a deed and programmatic agreement and adopting findings. (Mayor)
5/6/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Supervisor Daly requested to be added as co-sponsor.

030796 **[Commending the Mission Branch YMCA]**
Supervisor Sandoval

Resolution commending the Mission YMCA for 50 years of outstanding service to the residents of San Francisco.
5/6/03, ADOPTED.

030797 **[Recognizing Bettye Opal Simon-Johnson.]**
Supervisor Sandoval

Resolution recognizing the life and work of Bettye Opal Simon-Johnson.
5/6/03, ADOPTED.

030798 **[Water Bond Coalition of Northern and Coastal California]**
Supervisors Newsom, Sandoval

Resolution supporting participation by the City and County of San Francisco in the Water Bond Coalition of Northern and Coastal California, endorsing efforts by the Coalition to develop fair and equitable distribution of state water bond funds and ongoing efforts to facilitate development of integrated regional water management plans, and forwarding the names of Supervisors Gavin Newsom, Tony Hall and Gerardo Sandoval as candidates from the City and County of San Francisco who wish to serve on the Water Bond Coalition of Northern and Coastal California.
5/6/03, RECEIVED AND ASSIGNED to Rules Committee.

030799 **[Vehicular and Pedestrian Safety Mitigation]**
Supervisor Newsom

Resolution urging the Department of Parking and Traffic to take all necessary steps in mitigating unsafe traffic conditions at the intersections of Chestnut and Richardson Streets, Richardson and Lombard Streets, Lombard and Baker Streets and Baker and Richardson Streets, including but not limited to consideration of the installation of a countdown lights, the installation of a lit crosswalk at these intersections, and the installation of a cul-de-sac at this intersection; and working with the Office of the City Attorney and the San Francisco Police Department in concert for a unified and collaborative effort to make safer streets and ensure maximum vehicular and pedestrian safety.
5/6/03, RECEIVED AND ASSIGNED to Land Use Committee.

030800 **[STOP Intersection]**
Supervisor Newsom

Resolution designating Buchanan and Northpoint intersection as an all "STOP" intersection.

(5/28/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)
5/6/03, RECEIVED AND ASSIGNED to Land Use Committee.

030801 **[311/ Customer Relationship Management System]**
Supervisors Newsom, Ma, Dufty

Resolution urging the Department of Telecommunications and Information Systems (DTIS) to pursue all options necessary to develop a web-based 311 Call Center request system attached to the city's existing website; and directing the DTIS to coordinate with all appropriate city departments to continue with developing a project plan necessary to implement a full-scale web-based Customer Relationship Management System for the City and County of San Francisco.
5/6/03, RECEIVED AND ASSIGNED to City Services Committee.

030808 **[Motorcycle Sidewalk Parking Policy]**
Supervisors Gonzalez, Dufty, Daly

Resolution urging the new director of the Department of Parking and Traffic to continue the policy of decriminalizing responsible parking of motorcycles on sidewalks to the extent that they do not impede pedestrians.
5/6/03, RECEIVED AND ASSIGNED to City Services Committee.

030814 **[Summer School Programs]**
Supervisors Ammiano, Dufty, Ma, Daly

Resolution urging the Mayor's Office to recommend reallocating funds from under-performing programs funded through the Children's Fund to fund alternative programs to summer school programs. Furthermore, the alternative programs would be administered by the Department of Children Youth & Their Families.
5/6/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030815 **[Urging SFUSD to waive fees for alternative programs to Summer School]**
Supervisors Ammiano, Dufty, Ma, Daly

Resolution urging the San Francisco Unified School District to provide free access to school sites for alternatives to summer school programs. Furthermore, urging the Mayor's Office in conjunction with the Board of Supervisors to secure funds for the Unified School District to fill any shortfall that would result from waiving rental fees.
5/6/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030816 **[Commend Gay Asian Pacific Alliance]**
Supervisors Dufty, Ma, Ammiano, McGoldrick

Resolution commending the Gay Asian Pacific Alliance (GAPA) for 15 years of service to the Lesbian, Gay, Bisexual and Transgender Asian and Pacific Islander (API) community in San Francisco and declaring May 17, 2003 "GAPA Day" in the City and County of San Francisco.
5/6/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030817 **[Commend SF Gay and Lesbian Tennis Federation]**
Supervisors Dufty, Ammiano

Resolution commending the San Francisco Gay and Lesbian Tennis Federation (GLTF) for its annual tournament.
5/6/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030819 **[Support Senate Concurrent Resolution 12]**
Supervisor Newsom

Resolution urging the State Legislature to adopt Senate Concurrent Resolution 12, introduced by Senator Richard Alarcon, which would create a joint committee charged with developing a master plan to end poverty in the State of California.
5/6/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030820 **[Accept and Expend Gift]**
Supervisor Peskin

Resolution authorizing the Director of Planning to accept and expend a gift in the amount of $150,000 from the Jessie Square Garage Partners, LLC, an affiliate of Millennium Partners, for purposes of the gift.
5/6/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030821 **[Stop Sign Designation - Greenwich and Powell Streets]**
Supervisor Peskin

Resolution urging the installation of four-way Stop signs at the intersection of Greenwich and Powell Streets.
5/6/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030833 **[Senate Bill 1005]**
Supervisors Sandoval, McGoldrick

Resolution urging the California State Legislature to Pass SB 1005: The Safe Ratios Enforcement Act.
5/6/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030834 **[Commending Bernard Osher Foundation]**
Supervisors Sandoval, Dufty

Resolution commending the Bernard Osher Foundation for awarding $350,000 in grant funds to the Friends and Foundation of the San Francisco Library for the Branch Library Project.
5/6/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030836 **[OMI Family Center]**
Supervisors Sandoval, Dufty, Hall

Resolution urging the Mayor to preserve mental health services within the City and County of San Francisco and services at the OMI Family Center in the face of the upcoming budget crisis.
5/6/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030789 **[Children and Families Commission Annual Budget, FY 2003-04]**
Resolution approving the Annual Budget of the Children and Families Commission of the City and County of San Francisco for fiscal year 2003-2004.
5/6/03, RECEIVED AND ASSIGNED to Budget Committee.

Requests for Hearing

030805 **[Recreation and Park Department]**
Supervisor Ma

Hearing for the purpose of allowing the Recreation and Park Department to present its status on:
(a) Placing the Significant Natural Resource Areas Management Plan online for interested neighborhood and park groups and individuals to have access to the information as requested by the San Francisco Board of Supervisors in File No. 021264, Resolution No. 609-02; and (b) Assisting the Citizen's Advisory Committee for the Natural Areas Program (NAPCAC) in its activities until after a new management plan is developed and approved as requested, provided by the San Francisco Board of Supervisors in File No. 021260, Resolution No. 653-02.
5/6/03, RECEIVED AND ASSIGNED to City Services Committee. Sponsor requests this item be scheduled for consideration at the May 29, 2003 meeting.

030806 **[SFPD School Resource Officer Program]**
Supervisor Dufty

Hearing regarding the School Resource Officer Program of the San Francisco Police Department.
5/6/03, RECEIVED AND ASSIGNED to City Services Committee.

030807 **[Workforce Planning]**
Supervisor Dufty

Hearing to consider the ramifications of anticipated large-scale retirements of public sector employees in the City and County of San Francisco in the coming years, and discussion of planning strategy to effectively address City and Country workforce needs for the future.
5/6/03, RECEIVED AND ASSIGNED to City Services Committee.

030791 **[Budget Hearing and Review, FY 2003-04]**
Hearing to consider the Annual Budget for the San Francisco Airport for fiscal year 2003-2004.
5/6/03, RECEIVED AND ASSIGNED to Budget Committee.

030790 **[Budget Hearing and Review, FY 2003-04]**
Hearing to consider the Annual Budget for Child Support Services, Department of Building Inspection, and the Retirement System for fiscal year 2003-2004.
5/6/03, RECEIVED AND ASSIGNED to Budget Committee.

030826 **[Budget Hearing and Review, FY 2003-04]**
Hearing to consider the Annual Budget for the Rent Arbitration Board, Port, and General City Responsibility for fiscal year 2003-2004.
5/6/03, RECEIVED AND ASSIGNED to Budget Committee.

030827 **[Budget Hearing and Review, FY 2003-04]**
Hearing to consider the Annual Budget for the Public Utilities Commission for fiscal year 2003-2004.
5/6/03, RECEIVED AND ASSIGNED to Budget Committee.

030828 **[Housing Element of General Plan]**
Supervisors McGoldrick, Daly

Resolution requesting that the Planning Department give the highest priority to completion of environmental review for the revision of the Housing Element of the City's General Plan.

5/6/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

030792 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
5/6/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030809 **[Legislative Analyst Request]**
Supervisor Ma

Motion requesting the Office of the Legislative Analyst (OLA) to compare and contrast how Public Guardian Offices in other major counties accommodate hospitals wanting to refer their clients for probate/Lanterman-Petris-Short (LPS) conservatorships. In addition, the OLA should review whether these counties have contracts with hospitals to "fast track" discharged patients.
5/6/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration May 13, 2003. Supervisor Ma requests an in-depth report to be delivered as promptly as possible.

030818 **[Directing the Budget Analyst to Conduct a Management Audit of the Controller's Office]**
Supervisors Hall, Gonzalez, Ammiano, Dufty, Maxwell, McGoldrick, Sandoval

Motion amending the Schedule of Audits for the Budget Analyst and directing the Budget Analyst to conduct a management audit of the Controller's Office on a priority basis
5/6/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendment

030802 **[Charter Amendment - Controller to assess the City's maintenance of streets/parks and delivery of other services to the public]**
Supervisor Hall

Charter amendment (First Draft) to amend section 3.105 and add Appendix F to require the Controller to assess the City's maintenance of streets and parks and delivery of other services to the public.

(Fiscal impact.)
5/6/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/6/2003.

030812 **[Charter Amendment - Designating the Controller as City Services Auditor]**
Supervisor McGoldrick

Charter amendment (First Draft) to amend section 3.105 and add Appendix F to require the Controller to assess the City's maintenance of streets and parks and delivery of other services to the public.

PROPOSED ORDINANCES

030660 **[Settlement of Lawsuit - Carmi L. Johnson]**

Ordinance authorizing settlement of the lawsuit filed by Carmi L. Johnson against the City and County of San Francisco for $85,000; the lawsuit was filed on March 2, 2001 in United States District Court, Northern District, Case No. C01-0904 SBA; entitled Carmi L. Johnson v. City and County of San Francisco, Roland Chen, Therese Madden; other material terms of said settlement are: 1. PUC to redistribute policies regarding prevention of harassment and retaliation; 2. City to provide contact individual at City Department of Human Resources for future EEO issues. (City Attorney)

(Public Benefit Recipient.)
(Supervisor Hall dissenting in committee.)
4/23/03, RECEIVED AND ASSIGNED to Rules Committee.

030691 **[Settlement of Legal Proceeding]**

Ordinance approving the settlement of a claim flied by the City and County San Francisco in the bankruptcy entitled In re Metricom, Inc., United States District Court, Northern District of California, Case No. 01-53291-ASW. (City Attorney)

(Public Benefit Recipient.)
4/22/03, RECEIVED AND ASSIGNED to Rules Committee.

030703 **[Settlement of Lawsuit - Sherri Cytanovich]**

Ordinance authorizing settlement of the lawsuit filed by Sherri Cytanovich against the City and County of San Francisco for $100,000; the lawsuit was filed on December 8, 2001 in San Francisco Superior Court, Case No. 401-091; entitled Sherri Cytanovich, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)
4/28/03, RECEIVED AND ASSIGNED to Rules Committee.

030747 **[Fee Schedule Amendments - Planning Department]**

Ordinance amending the San Francisco Administrative Code by amending Chapter 31, Article IV to increase fees for services. (Planning Department)

(No Public Benefit Recipient.)
4/28/03, RECEIVED AND ASSIGNED to Budget Committee.

030748 **[Fee Schedule Amendments - Planning Department]**

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to increase fees for services. (Planning Department)

(No Public Benefit Recipient.)
4/28/03, RECEIVED AND ASSIGNED to Budget Committee.

PROPOSED RESOLUTIONS

030692 **[Accept- Expend Proposition 13 Grant]**
Supervisor Peskin

Resolution authorizing the Department of the San Francisco Public Utilities Commission to accept and expend a grant in the amount of $1 million from the Proposition 13 account for the removal of Niles and Sunol dams. (Public Utilities Commission)

(No Public Benefit Recipient.)
4/25/03, RECEIVED AND ASSIGNED to City Services Committee.

030693 **[Prevailing Wage Rates]**
Resolution fixing the prevailing wage rates for workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City. (Civil Service Commission)

(No Public Benefit Recipient.)
4/25/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030745 **[Settlement of Claim - Thomas W. Westwood]**
Resolution approving the settlement of the unlitigated claim filed on February 7, 2002 by Thomas W. Westwood against the City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)
4/25/03, RECEIVED AND ASSIGNED to Rules Committee.

030746 **[Mental health services to HIV positive women and their adult family members amendment 2]**
Resolution authorizing the San Francisco Department of Public Health, HIV Mental Health Program at the Center for Special Problems (SFDPH, CSP) to enter retroactively into an agreement, Amendment Number 2, in an additional amount of $30,000 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to provide outpatient mental health services to women who have HIV and their adult family members, for the period of August 1, 2002 to July 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)
4/28/03, RECEIVED AND ASSIGNED to City Services Committee. Department requests this item be scheduled for consideration at the May 15, 2003 meeting.

Requests Granted

From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: To draft an Ordinance requiring any request to any department of CCSF under the USA PATRIOT Act to be referred to the Board of Supervisors for review and final decision, with the advice and consultation of the City Attorney. The ordinance also should require that the City Attorney track and report annually on all such requests, including the federal department making such request, the type of such request, the CCSF department receiving such request, and the decision of the Board of Supervisors in response to such request.

From: Supervisor Newsom
To: Director, Department of Public Works
Requesting/Inquiring: Inquiring about the feasibility for DPW to budget the Greenwich Street underground wiring project for Fiscal Year 2003-04. Please include the following:

1. Specify how the department will work in collaboration with the neighborhood groups and other related private and public city agencies to ensure this prioritization.
2. How does the department's Street Construction Coordination Center plan to coordinate work among different agencies or excavators on future under ground wiring projects, including but not limited to sewer, water and paving projects in the neighborhood?
3. What public notices will be given to the neighbors of the immediate area affected by future underground wiring projects?

From: Supervisor Newsom
To: Executive Director, Presidio Trust
Director, Department of Parking and Traffic
Requesting/Inquiring: Inquiring on the status of the commitment made by the City and the Presidio Trust to mitigate traffic and pedestrian safety concerns around the Presidio Gate located at Fifteenth Avenue, including the following:

1. What is the status of funding speed bumps to slow traffic in the area of the Fifteenth Avenue gate?
2. What is the status of repainting and highlighting the stop sign and pedestrian crosswalk at the Fifteen Avenue Gate?
3. What is the status of securing traffic law enforcement efforts from the Presidio Park Police?
4. What is the status of the neighbor application to DPT's City Traffic Calming Program for traffic enforcement assistance?
5. What is the status of a traffic calming study be conducted regarding the allowable speed allowed on Fifteen Avenue?
6. What neighborhood meetings have been held to discuss the traffic study/traffic count at the Fifteenth Avenue gate?
7. What exactly is the level of coordination between the Presidio Trust and the Department of Parking and Traffic on the completion of the aforementioned traffic study?
8. To what extent is the Presidio Trust and the Department of Parking and Traffic responsible for deciding what traffic calming measures occur at the Fourteenth Avenue/Lake Street and Fifteenth Avenue/Lake intersections?

From: Supervisor Hall
To: Department of Human Resources
Department of Aging and Adult Services
Requesting/Inquiring: Please compile a list of all the services and benefits available to our city employees when they need time off to take care of elderly parents.

In Memoriams

Henry Berman (Entire Board)
Eric Gupton (Supervisor Ammiano)
Walter Sisulu (Supervisor Gonzalez)
Julia Middleton (Supervisor Maxwell)
Ella King Torrey (Superviso

ADJOURNMENT

There being no further business, the Board at the hour 6:12 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 10, 2003

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

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Tuesday, May 13, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll, the following Supervisors were noted absent.

Supervisors Ammiano, Daly, Ma, Maxwell, McGoldrick - 5

Quorum present.

Supervisor McGoldrick was noted present at 2:05 p.m.
Supervisor Daly was noted present at 2:06 p.m.
Supervisors Ma and Maxwell were noted present at 2:07 p.m.

Supervisor Ammiano previously excused from the meeting. (See Infra)

Supervisor Ammiano Excused from Attendance

Supervisor Sandoval, seconded by Supervisor Newsom, moved to excuse Supervisor Ammiano from attending today's meeting. The motion carried by the following vote:

Ayes: 6 - Dufty, Gonzalez, Hall, Newsom, Peskin, Sandoval
Absent: 4 - Daly, Ma, Maxwell, McGoldrick
Excused: 1 - Ammiano

CONSENT AGENDA

Recommendations of the Rules Committee

030475 **[Settlement of Lawsuit - Sohail Ali, et al.]**

Ordinance authorizing settlement of the lawsuit filed by Sohail Ali against the City and County of San Francisco for $47,500; the lawsuit was filed on April 29, 2002 in San Francisco Superior Court, Case No. 407-277; entitled Sohail Ali, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 93-03
FINALLY PASSED

030500 **[Settlement of Lawsuit - Poppie Kouremetis]**

Ordinance authorizing the City Attorney to make an offer of judgment under Federal Rule of Civil Procedure 68 of up to $75,000 in settlement of damages, attorneys' fees, and costs in the matter of Kouremetis and County of San Francisco. The lawsuit was filed on May 13, 2002, in San Francisco Superior Court, Case No. 407852 entitled Kouremetis v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 94-03
FINALLY PASSED

030539 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Alison Duthie and other plaintiffs against the City and County of San Francisco and other defendants for $175,000; the lawsuit was filed on February 15, 2000 in United States District Court, Case No. C00-0539 (MEJ); entitled Alison Duthie, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 95-03
FINALLY PASSED

Recommendations of the Land Use Committee

030546 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Lane Street and McKinnon Avenue, stopping westbound McKinnon Avenue at Lane Street;
Green and Taylor Streets, stopping both Green and Taylor Streets, making this uncontrolled T-intersection an all-way STOP;
20th Avenue and Kirkham Street, stopping Kirkham Street, making this intersection an all-way STOP;
Jennings Street and Thomas Avenue, stopping Jennings Street, making this intersection an all-way STOP;
Olmstead and Girard Streets, stopping Olmstead Street at Girard Street, making this intersection into an all-way STOP;
Rutland Street and Raymond Avenue, stopping Rutland Street at Raymond Avenue, making this intersection an all-way STOP;
Newhall Street and La Salle Avenue, stopping Newhall Street at La Salle Avenue; and
McKinnon Avenue and Newhall Street, stopping McKinnon Avenue at Newhall Street.
Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street. (Parking and Traffic Department)

(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order NO. 2597; No Public Benefit Recipient.)

Resolution No. 323-03
ADOPTED

030547 **[Traffic Regulations on Various Streets]**
Resolution enacting and rescinding traffic regulations on various streets.

NO RIGHT TURN ON RED - ESTABLISH
Dwight Street, eastbound, at San Bruno Avenue.

NO RIGHT TURN ON RED - ESTABLISH
Beach Blanket Babylon Boulevard (Green Street), eastbound, at Columbus Avenue.

NO LEFT TURN AND NO U-TURN - RESCIND
The Embarcadero, southbound, at Washington Street.

NO U-TURN - RESCIND
The Embarcadero, northbound, at Broadway.

NO LEFT TURN - ESTABLISH
Fulton Street, eastbound, at 43rd Avenue.

NO RIGHT TURN ON RED FROM 7 AM TO 8 PM - ESTABLISH
Geary Expressway and Laguna Street, all approaches.

NO LEFT TURN, 7:00 AM TO 9:00 AM AND 4:00 TO 6:00 PM, EXCEPT SATURDAY AND SUNDAY - RESCIND
NO LEFT TURN - ESTABLISH
Judah Street, both directions, at 14th Avenue. (Parking and Traffic Department)

(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2597; No Public Benefit Recipient; No fiscal impact.)

Resolution No. 324-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 7 - Dufty, Gonzalez, Hall, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Daly, Ma, Maxwell
Excused: 1 - Ammiano

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Services Committee

030575 **[State Grant - Mayor's Office of Criminal Justice]**
Mayor, Supervisors Dufty, Newsom

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of $2,634,179 from the State Board of Corrections, from funds made available under Assembly Bill 1913 - known as the Schiff-Cardenas Crime Prevention Act of 2000 (CPA 2000), for programs and approaches that have been demonstrated to be effective in reducing delinquency. (Mayor)

(Public Benefit Recipient.)

Resolution No. 319-03
ADOPTED by the following vote:
Ayes: 7 - Dufty, Gonzalez, Hall, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Daly, Ma, Maxwell
Excused: 1 - Ammiano

Recommendation of the Finance and Audits Committee

030617 **[Funding for the SFPUC Capital Improvement Program, Fiscal Year 2002-03]**
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance appropriating $66,075,000 of funding from the sale of commercial paper for capital projects and financing costs pursuant to the San Francisco Public Utilities' Commission Capital Improvement Program for fiscal year 2002-03. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)

Ordinance No. 104-03
FINALLY PASSED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

From the Finance Committee "Without Recommendation"

030689 **[Pass through to residential tenants 50% of water bill charges attributable to water rate increases resulting from issuance of PUC water system revenue bonds]**
Supervisors Daly, Maxwell, Dufty

Ordinance amending Administrative Code Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance) by amending Sections 37.2, 37.3, and 37.8, to provide that landlords may pass through to residential tenants fifty percent (50%) of water bill charges attributable to water rate increases resulting from the issuance of any PUC water system revenue bonds authorized at the November 5, 2002 election, where a unit is in compliance with any applicable laws requiring water conservation devices; to provide that landlords give tenants notice of any such passthrough on a Rent Board form, and that a tenant is entitled to a copy of the water bill from the landlord upon request; to provide for a line item on each water bill showing the charge per unit of water that is attributable to water rate increases resulting from issuance of such bonds, multiplied by the total units of water used by that customer during the billing cycle; to provide that where one water bill covers multiple units, the permissible passthrough per unit is calculated by dividing 50% of that line item amount by the total number of units covered by the bill (including any commercial units); to provide that any such passthrough does not become part of a tenant's base rent; to provide that a tenant may file a hardship application with the Rent Board for relief from all or part of the cost passthrough, and that if a hardship application is granted the affected landlord may utilize any available Public Utilities Commission low-income rate discount program or similar program for water bill reduction based on the tenant's hardship status; to provide that a tenant may file a petition with the Rent Board within one year of the effective date of a passthrough for determination of whether that passthrough is in compliance with the Code, and that the landlord bears the burden of proving the accuracy of the passthrough calculations in such a hearing; clarification of other Rent Ordinance provisions, in order to distinguish general obligation bonds from water revenue bonds; and technical changes in order to conform to other recent Rent Ordinance amendments.

Ordinance No. 107-03
FINALLY PASSED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Recommendation of the Land Use Committee

020295 **[Golden Triangle Light Standards as Landmark]**
Supervisors McGoldrick, Peskin

Ordinance Designating The Golden Triangle Light Standards As Landmark No. 233 Pursuant To Article 10, Sections 1004 And 1004.4 of the Planning Code.

Ordinance No. 92-03
FINALLY PASSED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

NEW BUSINESS

Recommendations of the Budget Committee

030565 **[MOU - Supervising Probation Officers, Local 3]**
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 (for Supervising Probation Officers) to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030566 **[MOU - Operating Engineers, Local 3]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030567 **[MOU - Plasterers and Shophands, Local 66]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Plasterers and Shophands, Local 66, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030568 **[MOU - Bricklayers, Stone Masons, Terrazzo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3, and Hod Carriers, Local 36]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Bricklayers, Stone Masons, Terrazzo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3, and Hod Carriers, Local 36, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030569 **[MOU - Federation of Professional and Technical Engineers, Local 21]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030570 **[MOU - Deputy Sheriffs' Association]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Sheriffs' Association to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030571 **[Unrepresented Employees]**
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2003. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030572 **[MOU - MEA]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030709 **[MOU - Transport Workers Union, Local 250-A (7410)]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 250-A (7410), to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030710 **[MOU - Building Inspectors' Association (for Class 6334, Chief Building Inspector]]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (for Class 6334, Chief Building Inspector) to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030711 **[MOU - Sheet Metal Workers International Union, Local 104]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Sheet Metal Workers International Union, Local 104, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030712 **[MOU - (I.A.T.S.E.), Local 16]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Alliance of Theatrical Stage Employees (I.A.T.S.E.), Local 16, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030713 **[MOU - Carpenters, Local 22]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Carpenters, Local 22, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030714 **[MOU - Laborers International Union, Local 261]**
Supervisors Daly, Maxwell

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Peskin, seconded by Supervisor Daly, moved that this Ordinance be RE-REFERRED to the Budget Committee. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030715 **[MOU - Pile Drivers, Divers, Wharf and Dock Builders, Local 34]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Pile Drivers, Divers, Wharf and Dock Builders, Local 34, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030717 **[MOU - Ironworkers, Local 377]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Ironworkers, Local 377, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030718 **[MOU - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030719 **[MOU - Stationary Engineers, Local 39]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Stationary Engineers, Local 39, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030720 **[MOU - Roofers, Local 40]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Roofers, Local 40, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030721 **[MOU - Painter's Local Union No. 4]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Painter's Local Union No. 4, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030722 **[MOU - Cement Masons, Local 580]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Cement Masons, Local 580, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030724 **[MOU - International Brotherhood of Electrical Workers, Local 6]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030725 **[MOU - Glaziers, Architectural Metal and Glass Workers Union, Local 718]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Glaziers, Architectural Metal and Glass Workers Union, Local 718, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030726 **[MOU - Teamsters, Local 853]**
Supervisors Daly, Maxwell

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 853, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Peskin, seconded by Supervisor Daly, moved that this Ordinance be RE-REFERRED to the Budget Committee. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030727 **[MOU - Teamsters, Local 856]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030731 **[MOU - Teamsters, Local 350]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030732 **[MOU - Transport Workers Union, Local 250-A Multi-Unit]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 250-A Multi-Unit, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030733 **[MOU - Transport Workers Union, Local 200 (SEAM)]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 200 (SEAM), to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030734 **[MOU - Building Inspectors' Association (for Class 6331, Building Inspector and Class 6333, Senior Building Inspector)]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (for Class 6331, Building Inspector and Class 6333, Senior Building Inspector) to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

030623 **[Amending Section 106 of the San Francisco Fire Code to Increase Fees For Services]**
Mayor, Supervisor Daly

Ordinance amending Section 106 of the San Francisco Fire Code to increase fees for Fire Department services, to become operative on its effective date or on July 1, 2003 whichever is later. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Ammiano

030624 **[Setting fees for emergency medical services provided by the Fire Department, granting authority to Fire Department to bill for such costs, and setting forth procedures]**
Mayor, Supervisor Daly

Ordinance amending San Francisco Health Code by repealing Section 117 as obsolete; amending San Francisco Health Code Sections 119, 120, 123, 124.1 and 124.5 to: (1) delete reference to Section 117 and add reference to Sections 128 and 128.1, (2) authorize the San Francisco Fire Department to bill for fees for emergency medical services, (3) authorize the San Francisco Fire Department to investigate the ability of patients to pay for the costs of emergency medical services, (4) include the San Francisco Fire Department as a Department for which it is a crime to conceal the ability to pay, (5) include reference to the San Francisco Fire Department in section regarding prima facie evidence of reasonableness of the fees, and (6) provide for a lien on third-party proceeds for costs of San Francisco Fire Department emergency medical services; and amend San Francisco Health Code by adding Section 128.1 to set fees for emergency medical services and supplies provided by the San Francisco Fire Department and to provide for annual increase in fees based on Medical Consumer Price Index. (Mayor)

(No fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Ammiano

030625 **[Increasing the Alemany Flea Market Daily Stall Fee]**
Mayor, Supervisor Daly

Ordinance amending Section 9B.5 of the San Francisco Administrative Code by increasing the daily fee for a stall at the Alemany Flea Market from $30 per stall to $45 per stall. (Mayor)

(No fiscal impact; No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030626 **[Recreation and Parks - Fees]**
Mayor, Supervisor Daly

Ordinance making environmental findings and amending the San Francisco Park Code by amending Section 12.08 to increase parking charges on Recreation and Park property; amending Section 12.09 to increase the fees for the carrousel; amending Section 12.15 to increase the fees for day camps; adding Section 12.29 to increase the fees for use of the photography center, adding Section 12.30 to increase the fees for participation in the latch key program, adding Section 12.31 requiring field trip reimbursements, adding Section 12.32 to increase the fee for resident golf cards, and adding Section 12.33 to increase fees for golf cart rental and driving range balls. (Mayor)

(No fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030627 **[Treasurer's charge for returned checks]**
Mayor, Supervisor Daly

Ordinance amending Administrative Code Section 10.13-1, to provide that the Treasurer may charge up to $35.00 for each check returned to the City without payment, based upon the actual costs as determined by the Controller. (Mayor)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030675 **[State Budget Priorities]**
Supervisor Daly

Resolution establishing the official position of the City and County of San Francisco on the state budget and endorsing principles for a balanced solution to the state budget crisis.

Resolution No. 339-03
ADOPTED by the following vote:
Ayes: 8 - Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Hall, Newsom
Excused: 1 - Ammiano

Recommendations of the Finance and Audits Committee

030250 **[Increase Lobbyist Fees and Late Filing Fines]**
Supervisors Peskin, Daly

Ordinance amending the San Francisco Lobbyist Ordinance, Article II, Chapter 1, sections 2.110 and 2.145 of the San Francisco Campaign and Governmental Conduct Code, to increase registration fees from $300.00 to $500.00; client fees from $50.00 to $75.00; and late filing fines from $25.00 per day to $50.00 per day. (Ethics Commission)

(No Public Benefit Recipient.)

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Ordinance making environmental findings and amending the San Francisco Lobbyist Ordinance, Article II, Chapter 1, sections 2.110 and 2.145 of the San Francisco Campaign and Governmental Conduct Code, to increase registration fees from $300.00 to $500.00; client fees from $50.00 to $75.00; and late filing fines from $25.00 per day to $50.00 per day. (Ethics Commission)

Supervisor Daly requested to be added as a co-sponsor.
PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030521 **[Making Environmental Findings and Re-authorizing Vehicle Registration Fee]**
Mayor

Resolution making environmental findings and re-authorizing a one dollar ($1) fee to be paid at time of vehicle registration, renewal, or supplemental application for every vehicle registered to an address within the City and County of San Francisco, except exempt vehicles, to be used exclusively to fund law enforcement programs related to fingerprint identification of persons committing crimes while operating motor vehicles; ratifying said fees paid between January 1, 2003, and the effective date of this resolution; and authorizing the Police Department to issue a fiscal year end report to the California State Controller on the collection and use of these fees. (Mayor)

Resolution No. 321-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030536 **[Amendment to Real Property Lease]**

Resolution authorizing a second amendment to an existing lease of office space at 1212 Market Street, also known as 11 Grove Street, for the Department of the Environment. (Real Estate Department)

(No fiscal impact; Public Benefit Recipient; District 6.)

Resolution No. 322-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Recommendations of the Land Use Committee

021771 **[Permit Required for Construction of an Impervious Surface in Front Yard]**
Supervisors Sandoval, Maxwell

Ordinance amending the San Francisco Building Code by adding Section 106.1.14 to require that a permit be issued before commencing with construction of an impervious surface, other than a driveway, in a front yard setback area and providing that violation of the permit requirement shall be an infraction subject to fines up to $500; amending Section 110, Table 1-F to establish the permit fee.

(1/21/03 in Board: Supervisor Sandoval submitted a substitute ordinance bearing new title.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030510 **[Mission Bay Park P8 Bank Stabilization - at the west end of the China Basin Channel]**
Ordinance accepting the irrevocable offer for the Acquisition Facilities for Park P8 Bank Stabilization; designating said facilities for public use and maintenance purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,026; and authorizing official acts in connection with this ordinance. (Public Works Department)

(No Public Benefit Recipient;DPW Order No. 174,026.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030548 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Church Street east side, between 21st and 22nd Streets (900 block); and
Church Street, west side, between 21st and Hill Streets (900 block).

NOTE:The 900 block of Church Street will be legislated to be signed as an Area "S" and Area "Z" buffer zone. The residents of Church Street will receive only Area "S" permits, but the signs on the block will eventually allow both Area "S" and "Z" permit holders to park. The signs will initially allow only "S" parking, but will be changed as the Area "Z" boundary expands and merges with Area "S".

□

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
19th Avenue, east side, from Junipero Serra Boulevard to 68 feet southerly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Dorman Avenue, both sides, between Barneveld and Palou Avenues.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Palou Avenue, both sides, between Barneveld Avenue and Industrial Street.

TOW-AWAY, NO PARKING ANYTIME - RESCIND
Blake Street, west side, from its terminus north of Geary Boulevard to 30 feet southerly.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 7 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Broadway North Service Road, south side, from 13 to 240 feet east of Hyde Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Broadway North Service Road, north side, from 0 to 240 feet east of Hyde Street. (Parking and Traffic Department)

(4/1/03: Categorically exempt from Environmental Review Class I(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2597; No Public Benefit Recipient; No fiscal impact.)

Resolution No. 325-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

SPECIAL ORDER 3:00 P.M.

030654 **[Public Hearing - Appeal, Conditional Use - 2690 Harrison Street (aka 3000 23rd Street)]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16546 dated March 20, 2003, Case No. 2000.1311EC, relating to [A] The approval of a conditional use authorization to allow [1] The construction of dwelling units in a C-M (Heavy Commercial) zoning district pursuant to Planning Code Section 215(a), [2] The creation of housing that does not provide 25 percent of the total number of units as affordable units in the Mission District pursuant to Section A(iv) of Board of Supervisors Resolution No. 500-02 (Mission District Interim Controls), and [3] The establishment of a Non-production, Distribution, or Repair (PDR) use on a site within the Northeast Mission Industrial Zone (NEMIZ) on which a PDR use existed since August 5, 1999 pursuant to Section E(v) of the Mission District Interim Controls on property located at 2690 Harrison Street (aka 3000 23rd Street) northwest corner of 23rd Street; Lot 004, in Assessor's Block 3639.

(Appeal filed April 21, 2003; Mitigated Negative Declaration adopted and issued June 27, 2002; companion measure to Files 030655, 030656, 030657, 030658; District 9.)

Supervisors Maxwell and Sandoval noted present at 3:35 pm
Supervisor McGoldrick noted present at 3:52 pm

Appellants: Eric Quesda, Mission Anti Displacement Coalition and Sue Hestor

Female Speaker; support of appellant
Male housing developer; support of appellant
David Lupo, carpenter's union; support of appellant
Ms. Faiaro; support of appellant
Charlotte Yee; support of appellant
Female Speaker; support of appellant
Female Speaker; support of appellant
Alexandra Gonzalez; support of appellant
Female Speaker; support of appellant
Marguerita Mendoza; support of appellant
Female Speaker; support of appellant
Carol Whartley; support of appellant
Male Speaker; support of appellant
Female Speaker; support of appellant
Female Speaker; support of appellant
Male Speaker; support of appellant
Tony Alfonso; support of appellant
Dan Adams, non-profit organization; support of appellant
Rosalind Orchid, resident of Apollo Hotel; support of appellant
Debbie Gonzalez; support of appellant
Lillian Boxter; support of appellant
Female Speaker; support of appellant
Rose; support of appellant
Richard Marquette, Mission Coalition; support of appellant
Male Speaker; support of appellant
Charlie Chavez; support of appellant
Julie Ledbettor; support of appellant
Gloria Vazquez; support of appellant
Ida Gregoria, Mission Agenda; support of appellant
Speaker; support of appellant
Mr. Murphy; support of appellant
Tony; support of appellant
Monica Louza, Mission Agenda; support of appellant
Julia Freedbacher; support of appellant
Christine; support of appellant
Stephanie Rosenfeld; support of appellant
David Lopez, Mission Agenda; support of appellant

Robert Zurcher; carpenter's union; support of appellant
Kay Zelich, St. Peter's Housing; support of appellant
Sean Leonard, carpenter's union; support of appellant
Female Speaker; support of appellant
Male Speaker; support of appellant
Ada Chan; support of appellant

Gerald Green, Director of Planning, reviewed with the Board the Planning Commission's recommendation.

Board Members reviewed and discussed issues with the Department of Planning representatives.

Jim Reuben, Attorney for Project Sponsor, Donald McDonald, Architect
Prescott Gaines, co-sponsor of the project sponsor
Thomas Shuen, co-sponsor of the project sponsor
Mazie Wong; support of the project sponsor
Curtis Hagfeldt; support of the project sponsor
John Casner; support of the project sponsor
Charles Bradeker; support of the project sponsor
David Dempsey; support of the project sponsor
Barbara Garrette; support of the project sponsor
Judith Berkowitz; support of the project sponsor
Curtis Eisenberger; support of the project sponsor
Joseph Melendez; support of the project sponsor
Maria Leone; support of the project sponsor
Patricia Delgado; support of the project sponsor
Marjorie Baer; support of the project sponsor
Judy West; support of the project sponsor
Eva Hom; support of the project sponsor
Male Speaker; support of the project sponsor
Mark Forester; support of the project sponsor
Male Speaker; support of the project sponsor
Grace; support of the project sponsor
Elizabeth Shephard; support of the project sponsor
John Casner; support of the project sponsor
Kate White; support of the project sponsor
Alfredo Pedroza; support of the project sponsor
Mathew Klein; support of the project sponsor
Female Speaker; support of the project sponsor
Carolyn Deevy; support of the project sponsor
Slyvia Johnson; support of the project sponsor
Milton Gaines, co-sponsor of the project
Joe O'Donoghue; support of the project sponsor

A rebuttal period was allowed.
Appellant: Sue Hestor

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk

(Only one of the following two motions should be adopted.)

Supervisor Newsom noted absent at 3:33 p.m.
Supervisor Sandoval noted absent at 7:15 p.m.

030655 **[Appeal, Conditional Use - 2690 Harrison Street (aka 3000 23rd Street)]**

Motion approving decision of the Planning Commission by its Motion No. 16546, approving Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to May 20, 2003

Supervisor Dufty, seconded by Supervisor Daly, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Newsom, Sandoval
Excused: 1 - Ammiano

030656 **[Appeal, Conditional Use - 2690 Harrison Street (aka 3000 23rd Street)]**

Motion disapproving decision of the Planning Commission by its Motion No. 16546, approving Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to May 20, 2003

Supervisor Dufty, seconded by Supervisor Daly, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Newsom, Sandoval
Excused: 1 - Ammiano

030657 **[Findings - 2690 Harrison Street (aka 3000 23rd Street)]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), for action by the Board at its next meeting. (Clerk of the Board)

Continued to May 20, 2003

Supervisor Dufty, seconded by Supervisor Daly, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Newsom, Sandoval
Excused: 1 - Ammiano

030658 **[Environmental Review]**

Motion certifying review of Final Mitigated Negative Declaration relating to proposed Conditional Use of property at 2690 Harrison Street (aka 3000 23rd Street). (Clerk of the Board)

Continued to May 20, 2003

Supervisor Dufty, seconded by Supervisor Daly, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Newsom, Sandoval
Excused: 1 - Ammiano

COMMITTEE REPORTS

From the Rules Committee

030703 **[Settlement of Lawsuit - Sherri Cytanovich]**

Ordinance authorizing settlement of the lawsuit filed by Sherri Cytanovich against the City and County of San Francisco for $100,000; the lawsuit was filed on December 8, 2001 in San Francisco Superior Court, Case No. 401-091; entitled Sherri Cytanovich, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

ROLL CALL FOR INTRODUCTIONS

Supervisor Peskin noted absent at 7:26 p.m.
Supervisor Peskin noted present at 8:24 p.m.

PUBLIC COMMENT

John Malone; homeless issues
Male Speaker; against Prop N Care Not Cash
Calvin Davis; against Prop N Care Not Cash
Abdullah Megaheed; homeless issues
Male Speaker; urge Federal representatives to amend HJ 20
Male Speaker; against Prop N Care Not Cash
Speakers; Asthma issues
Bruce; against Prop N Care Not Cash
Kay Walker; against Prop N Care Not Cash
Harrison; against Prop N Care Not Cash
Male Speaker; general representation of all
Male Speaker; against Prop N Care Not Cash
Dean; on behalf of John Jenkel; urge Federal representatives to amend HJ 20
Female Speaker; urge Federal representatives to amend HJ 20
Jamie; urge Federal representatives to amend HJ 20
Simon; Care Not Cash
Male Speaker; President Bush issues
Calvin Hadley; against Prop N Care Not Cash
Rita Bollinger; urge Federal representatives to amend HJ 20
Chris Disent; resolution to amend against Patriot Act
Martha Cortez; general issues
I. McCallun; against Prop N Care Not Cash
Mr. Edwards; on behalf of John Jenkel; urge Federal representatives to amend HJ 20
Ms. Edwards; against Prop N Care Not Cash
Female Speaker; against Prop N Care Not Cash and urge Federal representatives to amend HJ 20
Tracey Lords; on behalf of John Jenkel urge Federal representatives to amend HJ 20
Male Speaker; on behalf of John Jenkel and Care Not Cash
Male Speaker; urge Federal representatives to amend HJ 20
Tom McDonagh; support Care not Cash and housing issues
Sylvia Johnson; general issues
John Bardis #74 to send to committee

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

030809 **[Legislative Analyst Request]**
Supervisor Ma

Motion requesting the Office of the Legislative Analyst (OLA) to compare and contrast how Public Guardian Offices in other major counties accommodate hospitals wanting to refer their clients for probate/Lanterman-Petris-Short (LPS) conservatorships. In addition, the OLA should review whether these counties have contracts with hospitals to "fast track" discharged patients.

Supervisor McGoldrick was noted absent 8:28 p.m.

APPROVED by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 3 - McGoldrick, Newsom, Sandoval
Excused: 1 - Ammiano

Recommendation of the Rules Committee

030328 **[Settlement of Unlitigated Claim]**
Supervisors Hall, Ma

Ordinance approving settlement of an unlitigated claim by the City and County of San Francisco, acting by and through its Airport Commission, against D. Mitchell Concessions, Inc., by approving a lease of three coffee facilities in the Domestic Terminals and the main restaurant in the International Terminal, to one or more entities formed by Glenn Meyers, Dayna Meyers, and Garrett Meyers, approving the suspension of the Minimum Annual Guarantee for two Airport restaurants, waiving the competitive solicitation requirement in San Francisco Administrative Code Section 2A.173, and authorizing the Airport Director to execute agreements in furtherance of the foregoing.

Continued to May 20, 2003

Supervisor Peskin, seconded by Supervisor Daly, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 3 - McGoldrick, Newsom, Sandoval
Excused: 1 - Ammiano

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Unlitigated Claim

030825 **[Closed Session - Unlitigated Claim Filed by the City]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing unlitigated claim filed by the City against D. Mitchell Concessions, Inc. alleging that Mitchell is in default on its contractual obligations at San Francisco International Airport.

Government Code Section 54956.9(b)(1) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending unlitigated claim listed below.

San Francisco v. D. Mitchell Concessions, Inc.
Unlitigated Claim
Date Initiated - 7/02 (Clerk of the Board)

Continued to May 20, 2003

Supervisor Peskin, seconded by Supervisor Daly, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 3 - McGoldrick, Newsom, Sandoval
Excused: 1 - Ammiano

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

030814 **[Summer School Programs]**
Supervisors Ammiano, Dufty, Ma, Daly

Resolution urging the Mayor's Office to recommend reallocating funds from under-performing programs funded through the Children's Fund to fund alternative programs to summer school programs. Furthermore, the alternative programs would be administered by the Department of Children Youth & Their Families.

Supervisors Dufty, Ma and Daly requested to be added as co-sponsors.

Resolution No. 327-03
ADOPTED

030815 **[Urging SFUSD to waive fees for alternative programs to Summer School]**
Supervisors Ammiano, Dufty, Ma, Daly

Resolution urging the San Francisco Unified School District to provide free access to school sites for alternatives to summer school programs. Furthermore, urging the Mayor's Office in conjunction with the Board of Supervisors to secure funds for the Unified School District to fill any shortfall that would result from waiving rental fees.

Supervisors Dufty, Ma and Daly requested to be added as co-sponsors.

Resolution No. 341-03
ADOPTED

030816 **[Commend Gay Asian Pacific Alliance]**
Supervisors Dufty, Ma, Ammiano, McGoldrick

Resolution commending the Gay Asian Pacific Alliance (GAPA) for 15 years of service to the Lesbian, Gay, Bisexual and Transgender Asian and Pacific Islander (API) community in San Francisco and declaring May 17, 2003 "GAPA Day" in the City and County of San Francisco.

Supervisor McGoldrick requested to be added as a co-sponsor.

Resolution No. 328-03
ADOPTED

030817 **[Commend SF Gay and Lesbian Tennis Federation]**
Supervisors Dufty, Ammiano

Resolution commending the San Francisco Gay and Lesbian Tennis Federation (GLTF) for its annual tournament.

Resolution No. 329-03
ADOPTED

030819 **[Support Senate Concurrent Resolution 12]**
Supervisor Newsom

Resolution urging the State Legislature to adopt Senate Concurrent Resolution 12, introduced by Senator Richard Alarcon, which would create a joint committee charged with developing a master plan to end poverty in the State of California.

Resolution No. 330-03
ADOPTED

030820 **[Accept and Expend Gift]**
Supervisor Peskin

Resolution authorizing the Director of Planning to accept and expend a gift in the amount of $150,000 from the Jessie Square Garage Partners, LLC, an affiliate of Millennium Partners, for purposes of the gift.

Resolution No. 331-03
ADOPTED

030821 **[Stop Sign Designation - Greenwich and Powell Streets]**
Supervisor Peskin

Resolution urging the installation of four-way Stop signs at the intersection of Greenwich and Powell Streets.

Resolution No. 332-03
ADOPTED

030833 **[Senate Bill 1005]**
Supervisors Sandoval, McGoldrick

Resolution urging the California State Legislature to Pass SB 1005: The Safe Ratios Enforcement Act.

Supervisor McGoldrick requested to be added as a co-sponsor.

Resolution No. 333-03
ADOPTED

030834 **[Commending Bernard Osher Foundation]**
Supervisors Sandoval, Dufty

Resolution commending the Bernard Osher Foundation for awarding $350,000 in grant funds to the Friends and Foundation of the San Francisco Library for the Branch Library Project.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 334-03
ADOPTED

030836 **[OMI Family Center]**
Supervisors Sandoval, Dufty, Hall

Resolution urging the Mayor to preserve mental health services within the City and County of San Francisco and services at the OMI Family Center in the face of the upcoming budget crisis.

Supervisors Dufty and Hall requested to be added as co-sponsors.

Resolution No. 340-03
ADOPTED

030792 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M03-80
APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 3 - McGoldrick, Newsom, Sandoval
Excused: 1 - Ammiano

Severed from For Adoption Without Committee Reference

Supervisor Peskin requested that this matter be severed so that it could be considered separately.

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

030818 **[Directing the Budget Analyst to Conduct a Management Audit of the Controller's Office]**
Supervisors Hall, Gonzalez, Ammiano, Dufty, Maxwell, McGoldrick, Sandoval

Motion amending the Schedule of Audits for the Budget Analyst and directing the Budget Analyst to conduct a management audit of the Controller's Office on a priority basis

Supervisor Peskin moved to amend on page 2, line 13 "to add the Controller's Management Audit after the completion of the Recreation and Park Department Management Audit"
Failed for lack of a second.

Motion No. M03-81

APPROVED by the following vote:
Ayes: 6 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell
Noes: 1 - Peskin
Absent: 3 - McGoldrick, Newsom, Sandoval
Excused: 1 - Ammiano

Supervisor Daly requested that this matter be severed so that it could be considered separately.

Supervisor Daly requested that this matter be referred to committee.

030828 **[Housing Element of General Plan]**
Supervisors McGoldrick, Daly

Resolution requesting that the Planning Department give the highest priority to completion of environmental review for the revision of the Housing Element of the City's General Plan.

REFERRED to the Land Use Committee by the following vote:
Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 3 - McGoldrick, Newsom, Sandoval
Excused: 1 - Ammiano

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

Supervisor Daly, seconded by Supervisor Dufty, moved ADOPTION of the Commendatory Finding Act. The motion carried by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 3 - McGoldrick, Newsom, Sandoval
Excused: 1 - Ammiano

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 3 - McGoldrick, Newsom, Sandoval
Excused: 1 - Ammiano

030860 **[AAA School Safety Patrol's 80th Anniversary]**
Supervisor Dufty

Resolution recognizing and honoring the members of the AAA School Safety Patrol on the Patrol's 80th Anniversary.

Resolution No. 335-03

ADOPTED by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 3 - McGoldrick, Newsom, Sandoval
Excused: 1 - Ammiano

030861 **[AcroSports Day]**
Supervisors McGoldrick, Dufty

Resolution declaring May 18, 2003 AcroSports Day.

Resolution No. 336-03

ADOPTED by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 3 - McGoldrick, Newsom, Sandoval
Excused: 1 - Ammiano

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

030845 **[Appropriation - $526,000, Department of Elections]**
Supervisor Sandoval

Ordinance appropriating $2,416,160 from the General Fund Reserve to implement the ranked-choice voting public education plan for the Department of Elections for fiscal year 2002-03.
5/12/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030848 **[General Assistance-In-kind Assistance]**
Supervisors Newsom, Dufty, Sandoval, McGoldrick, Peskin

Ordinance modifying the City's General Assistance (GA) Program by amending San Francisco Administrative Code Sec. 20.57 to reflect the current grant amount; amending Administrative Code Sec. 20.59.3 to provide in-kind housing, utilities and meals to homeless applicants and recipients; amending Administrative Code Sec. 20.57.1 to value housing, utilities and meals provided to homeless recipients as in-kind assistance; adding Administrative Code Sec. 20.57.6A. to provide a special needs allowance to homeless recipients; adding Administrative Code Sec. 20.60.12 to establish a baseline GA budget; adding Administrative Code Sec. 20.60.13 to require a Controller's evaluation; adding Administrative Code Sec. 20.60.14 to establish an operative date for these amendments of on or before July 1, 2003.
5/13/03, RECEIVED AND ASSIGNED to Rules Committee.

030849 **[Setting Administrative Fee for Tow of Vehicles]**
Mayor

Ordinance approving administrative fee of $200 pursuant to Traffic Code Section 170.2-A for police costs for towing of vehicles. (Mayor)
5/13/03, RECEIVED AND ASSIGNED to Budget Committee.

030862 **[Restricted Traffic Streets]**
Supervisor Hall

Ordinance adding Traffic Code Sections 28.1.107, 28.1.108, and 28.1.109 to restrict any person from operating a vehicle with gross weight in excess of 6,000 pounds on Claremont Boulevard between Portola Drive and Taraval Street, Dewey Boulevard between Laguna Honda Boulevard and Taraval Street, and Taraval Street between 14th Avenue and Dewey Boulevard.

(5/16/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)
5/13/03, RECEIVED AND ASSIGNED to Land Use Committee.

030868 **[Elimination of Paid Ballot Arguments]**
Mayor

Ordinance amending the Municipal Elections Code to amend Sections 500, 530, 535 and 585 and deleting Sections 555, 560, 565, 570 and 830 to eliminate paid ballot arguments from the Voter Information Pamphlet. (Mayor)
5/13/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be calendared as soon as possible.

030869 **[Tobacco Sales Permit]**
Supervisor Maxwell

Ordinance amending the San Francisco Health Code by adding Article 19H to require a permit for tobacco sales and amending the San Francisco Business and Tax Regulations Code by adding section 249.16 to set the fee for the tobacco sales permit.
5/13/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. 9/13/03, 9/20/03 Dates Publication of Fee Ad.

030870 **[Repealing Airport Commission authority to approve counsel assigned to the Airport]**
Supervisors Daly, Gonzalez

Ordinance repealing Administrative Code Section 2A.172 to eliminate the Airport Commission's authority to approve counsel assigned to the Airport by the City Attorney.
5/13/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030871 **[General Assistance - In- Kind Assistance]**
Supervisors Daly, Ma, Maxwell

Ordinance amending Administrative Code sections 20.57, 20.59.3, and 20.57.1; adding Administrative Code sections 20.57.6A., 20.60.12, Sec. 20.60.13, and 20.60.14.
5/13/03, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

030847 **[Designating Fire Stations as Permissible Locations to Safely Surrender a Child 72 Hours Old or Less Without Criminal Prosecution for Child Abandonment]**
Supervisor Hall

Resolution designating San Francisco Fire Stations as permissible locations for a parent or any adult with legal custody of a child to safely surrender that child without criminal prosecution for child abandonment.
5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030851 **[Contract - Department of the Environment and PG&E]**
Mayor, Supervisor Gonzalez

Resolution pursuant to Charter section 9.118(a) authorizing the Department of the Environment to enter into a contract for up to $1,550,000.00 with Pacific, Gas and Electric Company ("PG&E") to implement a Demand Reduction Through Energy Efficiency Pilot Program in the City and County of San Francisco.
5/13/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030860 **[AAA School Safety Patrol's 80th Anniversary]**
Supervisor Dufty

Resolution recognizing and honoring the members of the AAA School Safety Patrol on the Patrol's 80th Anniversary.
5/13/03, ADOPTED.

030861 **[AcroSports Day]**
Supervisors McGoldrick, Dufty

Resolution declaring May 18, 2003 AcroSports Day.
5/13/03, ADOPTED.

030875 **[Commend Armando Miranda]**
Supervisor Gonzalez

Resolution commending Armando Miranda for his extraordinarily considerate, compassionate and thorough work as deputy public defender for the San Francisco Drug Court.
5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030876 **[Commend Francis Scott Key Elementary School]**
Supervisors Ma, Hall

Resolution commending Francis Scott Key Elementary School's achievement as a recipient of the 2003 No Child Left Behind Title I Achieving Schools Award.
5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030877 **[PUC Project Labor Agreement]**
Supervisors Maxwell, Daly

Resolution urging the San Francisco Public Utilities Commission to include social justice components in its Project Labor Agreement for the Hetch Hetchy Water System Capital Improvement Program.
5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030878 **[Asthma Training]**
Supervisors Maxwell, Dufty, Ma, Newsom

Resolution to support an Initiative for Asthma Training and Posting of Asthma Emergency Protocols at City-Funded Childcare Facilities.
5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030879 **[Senate Bill 60]**
Supervisor McGoldrick

Resolution in support of SB 60 regarding the use of federal tax ID numbers instead of social security numbers when applying for driver's licenses.
5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030891 **[Emergency Medical Services Week]**
Supervisors Newsom, Dufty, Hall, Ma

Resolution commending all providers of Emergency Medical Services for their contributions to the citizens and visitors of San Francisco and proclaiming the week of May 18-24, 2003 as Emergency Medical Services Week in the City and County of San Francisco.
5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030892 **[Clean Energy Exchange with India]**
Supervisors Peskin, Daly, Ma

Resolution supporting efforts to curb global warming and to develop partnerships with communities in India that allow for the sharing of information on emission reduction programs.
5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030893 **[Union Janitors]**
Supervisors Sandoval, Dufty, Daly, McGoldrick, Peskin, Ammiano, Ma, Gonzalez, Maxwell

Resolution urging the University of California San Francisco (UCSF) to make janitorial custodians in-house employees and corporate citizens of the City and County of San Francisco to utilize union janitorial services.
5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

030632 **[Ballot Measures Submitted by the Board of Supervisors, Four or More of its Members, or the Mayor]**
Supervisors Newsom, Peskin

Charter amendment (Second Draft) to amend 2.113 and 3.100 to provide that any proposed ordinance, bond measure, or declaration of policy submitted to the Director of Elections by the Board of Supervisors. by four or more of its members, or by the Mayor, must by submitted to the Board of Supervisors no later than 45 days before the deadline for submission of the measure to the Director of Elections, and to require that the Board of Supervisors hold a hearing on the proposed ordinance, bond measure, or declaration of policy and on any amendment thereto no later than 30 days before the deadline for submission of the measure to the Board of Directors, provided that failure of the Board of Supervisors to hold a hearing on a measure submitted by less than the full Board of Supervisors or by the Mayor shall not preclude submission of the measure to the voters.
4/15/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/15/2003.
5/13/03, SUBSTITUTED. Supervisor Newsom submitted a substitute Charter amendment bearing new title.
5/13/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2003.

030682 **[Motion ordering an ordinance be submitted to the voters Conflict of Interest Laws]**
Supervisor Ammiano

4/22/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/22/2003.

030852 **[Charter Amendment - District offices and staff members for members of the Board of Supervisors]**
Supervisor Daly

Charter amendment (First Draft) to amend Section 2.117, to establish district offices for members of the Board of Supervisors and to eliminate the limit on the number of staff members.
5/13/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2003.

030853 **[Charter Amendment - Board of Supervisors Proceedings]**
Supervisor Gonzalez

Charter amendment (First Draft) to amend Sections 2.103, 2.104, and Article XVII, to modify the provisions governing the proceedings of the Board of Supervisors by tolling deadlines for action by the Board when the Board is in recess, and by reducing the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest.
5/13/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2003.

030854 **[Charter Amendment - Controller as the City Services Auditor]**
Supervisor Hall

Charter amendment (First Draft) to amend Section 3.105 and adding Appendix F to designate the Controller as the City Services Auditor, establish duties for that function, make the Controller a non-voting ex-officio member of the Board of Supervisors and all City commissions, and set aside 0.2 percent of the City's annual budget for a Controller's Audit Fund.
5/13/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2003.

030855 **[Charter Amendment - Early retirement benefits to employees in classifications identified for layoffs due to the City's fiscal crisis]**
Mayor

Charter amendment (First Draft) to add Sections A8.401 and A8.522 to provide early retirement benefits to eligible employees. (Mayor)
5/13/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2003.

030856 **[Charter Amendment - Health Service System]**
Supervisor Peskin

Charter amendment (First Draft) to amend Sections 10.102, 12.200, 12.202, 12.203, A8.421, A8.422, A8.423, A8.428, and A8.432 to the San Francisco Charter.
5/13/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/13/2003. Not for March election per Supervisor Peskin.

030857 **[Charter Amendment - Retirement Benefits for District Attorneys, Public Defenders and Public Defender Investigators]**
Supervisor Gonzalez

Charter amendment (First Draft) to add Appendix A8.583 relating to retirement benefits for attorneys in the District Attorney's and Public Defender's offices and Public Defender Investigators.
5/13/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2003.

030858 **[Charter Amendment - Rainy Day Reserve]**
Supervisors Ammiano, McGoldrick

Charter amendment (First Draft) to add Section 9.113.5 and amend Section 9.113, to create a Rainy Day (Economic Stabilization) Reserve and clarify general rules for fiscal operations.
5/13/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2003.

030859 **[Charter Amendment - Police Commission; Office of Citizen Complaints; Police Misconduct]**
Supervisors Ammiano, McGoldrick

Charter amendment (First Draft) to amend the Charter of the City and County by amending Sections 4.109, 4.127, A8.343 and A8.344.
5/13/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2003.

030864 **[Charter Amendment - Municipal Railway Rates]**
Supervisor Daly

Charter amendment (First Draft) to amend Sections 8A.102, 8A.106, and 8A.108 to freeze Municipal Railway rates at their January 1, 2003 levels and to change the process for approving increases in Municipal Railway rates.
5/13/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/13/2003.

030865 **[Charter Amendment -Transferring the Police Department's functions, assets and operations to the Sheriff]**
Supervisor Daly

Charter amendment (First Draft) to add Section 6.105 to establish a process for a Sheriff and Police Department merger.
5/13/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2003.

030866 **[Charter Amendment - Establishing an Elected Rent Board]**
Supervisor Daly

Charter amendment (First Draft) to add a new Article VIA to establish an elected San Francisco Residential Rent Stabilization and Arbitration Board that would replace the existing appointed Rent Board.
5/13/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2003.

030867 **[Charter Amendment - Planning and Economic Department Commission]**
Supervisor Peskin

Charter amendment (First Draft) to delete Section 4.121 and Appendix D that establish the Building Inspection Commission, and to amend Section 4.105 to establish a Planning and Economic Development Commission consisting of the current members of the Planning Commission that would manage the Department of Planning and the Department of Building Inspection.
5/13/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2003.

Request for Hearing

030872 **[Budget Analyst's performance audit of the San Francisco Zoo]**
Supervisor Ma

Hearing to review and implement recommendations of the Budget Analyst's performance audit of the San Francisco Zoo prepared for the Board of Supervisors in January 2000.
5/13/03, RECEIVED AND ASSIGNED to Zoo Audit Select Committee. Scheduled for consideration June 3, 2003.

030873 **[Closed Session - Existing Litigation - Care Not Cash Initiative, City as Defendant (Respondent)]**
Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the petitioners challenge the validity of Proposition N, "Care Not Cash Initiative," which was approved by the voters of San Francisco at the November 5, 2002, consolidated general election in San Francisco.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(l) permit this closed session. Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending lawsuit below.

Pettye & Roman v. San Francisco, et al.
S.F. Superior Court No. CPF 02-502076
Date Filed: November 26, 2002.
5/13/03, ASSIGNED to Board of Supervisors.

Motions

030846 **[Glocal Youth Parliament in Rome, Italy]**
Supervisors Daly, Newsom

Motion authorizing the attendance of two members of the San Francisco Youth Commission at the May 22-26, 2003, Glocal Youth Parliament in Rome, Italy. (Clerk of the Board)
5/12/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030863 **[Creating a Care Not Cash Select Committee.]**
Supervisor Gonzalez

Motion creating a Care Not Cash Select Committee.
5/13/03, RECEIVED AND ASSIGNED to Rules Committee.

030850 **[Board Off-site Meetings]**
Supervisor Maxwell

Motion ordering the City and School District Select Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on June 16, 2003 at 4:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.
5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030874 **[Health Service Board]**
Supervisor Daly

Motion amending the Schedule of Audits for the Budget Analyst and directing the Budget Analyst to conduct a management audit of the Health Service System on a priority basis.
5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

030773 **[Settlement of Lawsuit - Loretta A. Bowie]**
Ordinance authorizing settlement of the matter of Loretta A. Bowie v. City and County of San Francisco and Louise Statzer for $92,500. The lawsuit was filed on April 17, 2002, in San Francisco Superior Court, Case No. 406-801, and was removed to United States District Court on June 26, 2002, Case No. C 02-3082 SI; entitled Loretta A. Bowie v. City and County of San Francisco and Louise Statzer. (City Attorney)

(Public Benefit Recipient.)
5/2/03, RECEIVED AND ASSIGNED to Rules Committee.

030774 **[Settlement of Lawsuit - Derrell Neal]**
Ordinance authorizing settlement of the lawsuit filed by Derrell Neal against the City and County of San Francisco for $40,000; the lawsuit was filed on November 26, 2002 in San Francisco Superior Court, Case No. 401-659; entitled Derrell Neal, et al., v. City and County of San Francisco, et al.

(Public Benefit Recipient.)
5/2/03, RECEIVED AND ASSIGNED to Rules Committee.

030775 **[Settlement of Lawsuit - YONG SHAO MA and PUI KAY CHAN]**
Ordinance authorizing settlement of the lawsuit filed by YONG SHAO MA and PUI KAY CHAN against the City and County of San Francisco for $750,000; the lawsuit was filed on October 26, 1998 in San Francisco Superior Court, Case No. 998-809; entitled Yong Shao Ma, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)
4/30/03, RECEIVED AND ASSIGNED to Rules Committee.

030779 **[Speed Limit - Fulton Street between Masonic Avenue and Stanyan Street]**
Supervisor Gonzalez

Ordinance adding Section 174.05 and amending Section 175.22 of the San Francisco Traffic Code to reduce the speed limit from 30-MPH to 25-MPH on Fulton Street between Masonic Avenue and Stanyan Street. (Parking and Traffic Department)
5/5/03, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

030776 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Mangels Avenue at Gennessee Street, stopping Mangels Avenue at Gennessee Street, making this intersection an all-way STOP;
20th and Arkansas Streets, stopping 20th Street at Arkansas Street, making this intersection an all-way STOP;
26th and Tennessee Streets, stopping Tennessee at 26th Street, making this intersection a two-way STOP; and
12th Street at South Van Ness Avenue, stopping southbound 12th Street at South Van Ness Avenue. (Parking and Traffic Department)

(5/2/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2624; No Public Benefit Recipient.)
5/5/03, RECEIVED AND ASSIGNED to Land Use Committee.

030777 **[Traffic Regulations, Various Streets]**
Supervisors Gonzalez, McGoldrick, Maxwell, Ammiano

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES (SIX MONTH TRIAL) - ESTABLISH
Fell Street, from Baker Street to Scott Street.

STREET CLOSURE (6:00 PM TO MIDNIGHT, MONDAY THROUGH FRIDAY AND 11:00 AM TO MIDNIGHT, SATURDAY AND SUNDAY) - ESTABLISH
De Boom Street, north side, from 2nd Street to 75 feet easterly (seven-foot closure for tables and chairs, retains 14-foot access lane).

(5/2/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2624; No Public Benefit Recipient.)
5/5/03, RECEIVED AND ASSIGNED to Land Use Committee.

030778 **[Parking Regulations, Various Locations]**
Supervisor Newsom

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING, MONDAY-FRIDAY, 4:00 PM TO 6:00 PM (SIX-MONTH TRIAL) - RESCIND
Fell Street, south side, from Baker Street to Scott Street (Fell Street bike lanes).

TOW-AWAY, NO STOPPING, MONDAY-FRIDAY, 4:00 PM TO 7:00 PM (SIX-MONTH TRIAL) - ESTABLISH
Fell Street, south side, from Divisadero Street to 182 feet easterly (Fell Street bike lanes).

TOW-AWAY, LANE MUST TURN LEFT (SIX-MONTH TRIAL) - ESTABLISH
Fell Street, at Scott Street (Fell Street bike lanes). (Parking and Traffic Department)

(5/2/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2624; No Public Benefit Recipient.)
5/1/03, RECEIVED AND ASSIGNED to Land Use Committee.

030780 **[Lease of Real Property]**
Resolution authorizing a Sublease renewal of approximately 117,826 square feet of space at 1235 Mission Street for the Department of Human Services. (Real Estate Department)

(Fiscal impact; Public Benefit Recipient.)
5/5/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests Granted

From: Supervisor Dufty
To: City Attorney
Requesting/Inquiring: To draft an ordinance requiring that all City Parking control and Traffic signs have graffiti-resistant coating. Establishing that all new signage installed after adoption of this ordinance shall be graffiti-resistant.

From: Supervisor Maxwell
To: Department of Parking and Traffic
Requesting/Inquiring: Inquiring whether traffic lights can be metered on San Bruno Avenue at Silliman and Silver Streets to ease traffic congestion in the area.

From: Supervisor Maxwell
To: Department of Public Works
Planning Department
San Francisco Redevelopment Agency
Requesting/Inquiring: Inquiring about how the Third Street Walgreens was permitted to remove the landscaping provided in the concept plan agreed to by the Bayview Hunters Point Project Area Committee.

From: Supervisor McGoldrick
To: City Attorney
Controller
Requesting/Inquiring: To draft a measure that will establish a special fund for homeless programs, called "Cash for Care." This fund would provide matching City funding, dollar for dollar, for donations from businesses in San Francisco that are committed to changing the homeless situation on the streets or our neighborhoods. The Cash for Care Fund also would have an advisory committee composed of stakeholders from the business community, advocates for the homeless, nonprofit service providers, neighborhood associations, and City officials, who would make recommendations on spending the money in the fund.

From: Supervisor Gonzalez
To: City Attorney
Requesting/Inquiring: Requesting a closed session for the May 20, 2003 meeting of the Board of Supervisors to discuss the recent court decision regarding Care Not Cash.

In Memoriams
Margaret Contreras Alvarado (Supervisor Dufty)
Joseph Rodriguez Bisho (Supervisors Hall, Newsom)
William J. Keays (Supervisor Hall)
Joseph E. Spalasso (Supervisor Newsom)
Ted Joans (Supervisor Gonzalez)

In Memoriams

Margaret Contreras Alvarado (Supervisor Dufty)
Joseph Rodriguez Bisho (Supervisors Hall, Newsom)
William J. Keays (Supervisor Hall)
Joseph E. Spalasso (Supervisor Newsom)
Ted Joans (Supervisor Gonzalez)

ADJOURNMENT

There being no further business, the Board at the hour of 8:50 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 24, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.8:50 pm

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

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Tuesday, May 20, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvsrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly	2nd Monday, bi-monthly
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll, the following Supervisors were noted absent.

Supervisors Ammiano, Dufty, Ma, Newsom, Sandoval - 5

Quorum present.

Supervisors Ammiano and Ma were noted present at 2:04 p.m.
Supervisors Dufty and Sandoval were noted present at 2:07 p.m.
Supervisor Newsom was noted present at 2:13 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Daly, moved to approve April 15, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 3 - Dufty, Newsom, Sandoval

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Hall, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 3 - Dufty, Newsom, Sandoval

Supervisor Maxwell introduced, welcomed and presented a Certificate of Honor to Edwin Lee, Director of Public Works in recognition of Public Works Week.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the City Services Committees

030535 **[State Grant for Enforcing Proper Disposal of Waste Tires]**
Supervisors Dufty, Newsom

Resolution authorizing the Department of the Environment to apply for, accept and expend a grant in the amount of $189,938 from the California Integrated Waste Management Board for enforcing proper disposal of waste tires. (Environment)

(No Public Benefit Recipient.)

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 358-03
ADOPTED

Recommendations of the Rules Committee

030598 **[Settlement of Claim]**
Resolution approving the settlement of the unlitigated claim filed by Farmers Insurance Company as subrogee of Yuk Wah Shung against San Francisco; claim was filed on January 21, 2003. (City Attorney)

(Public Benefit Recipient.)

Resolution No. 343-03
ADOPTED

030596 **[Settlement of Lawsuit - Nishkian & Associates]**
Ordinance approving settlement of litigation of City and County of San Francisco against Nishkian & Associates for $40,000. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

030744 **[Appointment]**
Resolution appointing Ancel Martinez, term ending date to be determined, to the Pedestrian Safety Advisory Committee.

Ancel Martinez, new position, seat 8, must be a representative from a child advocate or school support organization for a two-year term (ending date to be determined).

Resolution No. 345-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

(Only one of the following two motions should be adopted.)

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

030655 **[Appeal, Conditional Use - 2690 Harrison Street (aka 3000 23rd Street)]**
Motion approving decision of the Planning Commission by its Motion No. 16546, approving Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisors Daly and Peskin, called for the question.

Continued to June 10, 2003

Supervisor Ammiano, seconded by Supervisor Daly, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Ma, Newsom

030656 **[Appeal, Conditional Use - 2690 Harrison Street (aka 3000 23rd Street)]**
Motion disapproving decision of the Planning Commission by its Motion No. 16546, approving Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to June 10, 2003

Supervisor Ammiano, seconded by Supervisor Daly, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Ma, Newsom

030657 **[Findings - 2690 Harrison Street (aka 3000 23rd Street)]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), for action by the Board at its next meeting. (Clerk of the Board)

Continued to June 10, 2003

CONTINUED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Ma, Newsom

030658 **[Environmental Review]**

Motion certifying review of Final Mitigated Negative Declaration relating to proposed Conditional Use of property at 2690 Harrison Street (aka 3000 23rd Street). (Clerk of the Board)

Continued to June 10, 2003

Supervisor Ammiano, seconded by Supervisor Daly, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Ma, Newsom

Recommendation from the Rules Committee

020938 **[Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]**
Supervisors Ammiano, Gonzalez, Dufty, Hall, Newsom, Ma

Charter Amendment (Fifth Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.

6/10/03 Amended on page 1, after "of such contract" by adding New Paragraph "Contracts and contract amendments shall be cost-neutral and employee bargaining units shall be permitted to trade salary or other employee-paid benefits to achieve cost-neutrality. The Board of Supervisors or the Community College District is empowered to determine compliance under this section."

Continued to June 10, 2003

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

Recommendations of the Budget Committee

030565 **[MOU - Supervising Probation Officers, Local 3]**
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 (for Supervising Probation Officers) to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 96-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030566 **[MOU - Operating Engineers, Local 3]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 97-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030567 **[MOU - Plasterers and Shophands, Local 66]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Plasterers and Shophands, Local 66, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 98-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030568 **[MOU - Bricklayers, Stone Masons, Terrazzo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3, and Hod Carriers, Local 36]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Bricklayers, Stone Masons, Terrazzo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3, and Hod Carriers, Local 36, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 99-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030569 **[MOU - Federation of Professional and Technical Engineers, Local 21]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 100-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030570 **[MOU - Deputy Sheriffs' Association]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Sheriffs' Association to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 101-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030571 **[Unrepresented Employees]**
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2003. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 102-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030572 **[MOU - MEA]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 103-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030709 **[MOU - Transport Workers Union, Local 250-A (7410)]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 250-A (7410), to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 109-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030710 **[MOU - Building Inspectors' Association (for Class 6334, Chief Building Inspector]]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (for Class 6334, Chief Building Inspector) to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 110-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030711 **[MOU - Sheet Metal Workers International Union, Local 104]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Sheet Metal Workers International Union, Local 104, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 111-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030712 **[MOU - (I.A.T.S.E.), Local 16]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Alliance of Theatrical Stage Employees (I.A.T.S.E.), Local 16, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 112-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030713 **[MOU - Carpenters, Local 22]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Carpenters, Local 22, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 113-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030715 **[MOU - Pile Drivers, Divers, Wharf and Dock Builders, Local 34]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Pile Drivers, Divers, Wharf and Dock Builders, Local 34, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 114-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030717 **[MOU - Ironworkers, Local 377]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Ironworkers, Local 377, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 116-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030718 **[MOU - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 117-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030719 **[MOU - Stationary Engineers, Local 39]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Stationary Engineers, Local 39, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 118-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030720 **[MOU - Roofers, Local 40]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Roofers, Local 40, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 119-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030721 **[MOU - Painter's Local Union No. 4]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Painter's Local Union No. 4, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 120-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030722 **[MOU - Cement Masons, Local 580]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Cement Masons, Local 580, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 121-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030724 **[MOU - International Brotherhood of Electrical Workers, Local 6]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 122-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030725 **[MOU - Glaziers, Architectural Metal and Glass Workers Union, Local 718]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Glaziers, Architectural Metal and Glass Workers Union, Local 718, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 123-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030727 **[MOU - Teamsters, Local 856]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 124-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030731 **[MOU - Teamsters, Local 350]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 125-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030732 **[MOU - Transport Workers Union, Local 250-A Multi-Unit]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 250-A Multi-Unit, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 126-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030733 **[MOU - Transport Workers Union, Local 200 (SEAM)]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 200 (SEAM), to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 127-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030734 **[MOU - Building Inspectors' Association (for Class 6331, Building Inspector and Class 6333, Senior Building Inspector)]**
Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (for Class 6331, Building Inspector and Class 6333, Senior Building Inspector) to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 115-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030623 **[Amending Section 106 of the San Francisco Fire Code to Increase Fees For Services]**
Mayor, Supervisor Daly

Ordinance amending Section 106 of the San Francisco Fire Code to increase fees for Fire Department services, to become operative on its effective date or on July 1, 2003 whichever is later. (Mayor)

Ordinance No. 105-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030624 **[Setting fees for emergency medical services provided by the Fire Department, granting authority to Fire Department to bill for such costs, and setting forth procedures]**
Mayor, Supervisor Daly

Ordinance amending San Francisco Health Code by repealing Section 117 as obsolete; amending San Francisco Health Code Sections 119, 120, 123, 124.1 and 124.5 to: (1) delete reference to Section 117 and add reference to Sections 128 and 128.1, (2) authorize the San Francisco Fire Department to bill for fees for emergency medical services, (3) authorize the San Francisco Fire Department to investigate the ability of patients to pay for the costs of emergency medical services, (4) include the San Francisco Fire Department as a Department for which it is a crime to conceal the ability to pay, (5) include reference to the San Francisco Fire Department in section regarding prima facie evidence of reasonableness of the fees, and (6) provide for a lien on third-party proceeds for costs of San Francisco Fire Department emergency medical services; and amend San Francisco Health Code by adding Section 128.1 to set fees for emergency medical services and supplies provided by the San Francisco Fire Department and to provide for annual increase in fees based on Medical Consumer Price Index. (Mayor)

Ordinance No. 106-03
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030625 **[Increasing the Alemany Flea Market Daily Stall Fee]**
Mayor, Supervisor Daly

Ordinance amending Section 9B.5 of the San Francisco Administrative Code by increasing the daily fee for a stall at the Alemany Flea Market from $30 per stall to $45 per stall. (Mayor)

(No Public Benefit Recipient.)

Ordinance No. 131-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030626 **[Recreation and Parks - Fees]**
Mayor, Supervisor Daly

Ordinance making environmental findings and amending the San Francisco Park Code by amending Section 12.08 to increase parking charges on Recreation and Park property; amending Section 12.09 to increase the fees for the carrousel; amending Section 12.15 to increase the fees for day camps; adding Section 12.29 to increase the fees for use of the photography center, adding Section 12.30 to increase the fees for participation in the latch key program, adding Section 12.31 requiring field trip reimbursements, adding Section 12.32 to increase the fee for resident golf cards, and adding Section 12.33 to increase fees for golf cart rental and driving range balls. (Mayor)

Ordinance No. 132-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030627 **[Treasurer's charge for returned checks]**
Mayor, Supervisor Daly

Ordinance amending Administrative Code Section 10.13-1, to provide that the Treasurer may charge up to $35.00 for each check returned to the City without payment, based upon the actual costs as determined by the Controller. (Mayor)

Ordinance No. 133-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of the Finance and Audits Committee

030250 **[Increase Lobbyist Fees and Late Filing Fines]**
Supervisors Peskin, Daly

Ordinance making environmental findings and amending the San Francisco Lobbyist Ordinance, Article II, Chapter 1, sections 2.110 and 2.145 of the San Francisco Campaign and Governmental Conduct Code, to increase registration fees from $300.00 to $500.00; client fees from $50.00 to $75.00; and late filing fines from $25.00 per day to $50.00 per day. (Ethics Commission)

Ordinance No. 129-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Land Use Committee

021771 **[Permit Required for Construction of an Impervious Surface in Front Yard]**
Supervisors Sandoval, Maxwell

Ordinance amending the San Francisco Building Code by adding Section 106.1.14 to require that a permit be issued before commencing with construction of an impervious surface, other than a driveway, in a front yard setback area and providing that violation of the permit requirement shall be an infraction subject to fines up to $500; amending Section 110, Table 1-F to establish the permit fee.

(1/21/03 in Board: Supervisor Sandoval submitted a substitute ordinance bearing new title.

Ordinance No. 128-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030510 **[Mission Bay Park P8 Bank Stabilization - at the west end of the China Basin Channel]**
Ordinance accepting the irrevocable offer for the Acquisition Facilities for Park P8 Bank Stabilization; designating said facilities for public use and maintenance purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,026; and authorizing official acts in connection with this ordinance. (Public Works Department)

(No Public Benefit Recipient;DPW Order No. 174,026.)

Ordinance No. 130-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

From the Land Use Committee "Without Recommendation"

030629 **[United Nations Plaza]**
Supervisor Daly

Resolution accepting the final report of the U.N. Plaza Working Groups, urging that the Art Commission, Planning Commission, DPW, Mayor's Office and BART to act on the report.

NOT ADOPTED by the following vote:
Ayes: 4 - Ammiano, Daly, Dufty, Hall
Noes: 7 - Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of the Rules Committee

030703 **[Settlement of Lawsuit - Sherri Cytanovich]**
Ordinance authorizing settlement of the lawsuit filed by Sherri Cytanovich against the City and County of San Francisco for $100,000; the lawsuit was filed on December 8, 2001 in San Francisco Superior Court, Case No. 401-091; entitled Sherri Cytanovich, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 108-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget Committee

030628 **[Making Environmental Findings and Increasing Fees Charged for Inspection and Certification of Agriculture Products]**
Mayor, Supervisor Daly

Ordinance making environmental findings and amending the San Francisco Administrative Code to increase the fees charged by the Department of Consumer Assurance for inspection and certification of agriculture products prior to shipment. (Mayor)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

President Gonzalez recognized former Supervisors Sue Bierman and Amos Brown.

Supervisor Peskin, seconded by Supervisor Newsom, moved to continued to June 24, 2003.
Motion failed by the following vote:
Ayes: 5 - Ammiano, Hall, McGoldrick, Newsom, Peskin
Noes: 6 - Daly, Dufty, Gonzalez, Ma, Maxwell, Sandoval

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved to rescind the vote.
Motion carried without objection.

030803 **[Appropriation - $6,000,000 for the Public Education Programs]**
Supervisors Daly, Ma

Ordinance appropriating $2,000,000 of Delinquent Payroll Tax Revenue and $4,000,000 from the State Revenue Stabilization Reserve for a total of $6,000,000 for public education programs for fiscal year 2002-03.

(Fiscal impact; Supervisors Peskin and Maxwell dissenting in committee.)

President Gonzalez recognized former Supervisors Sue Bierman and Amos Brown.

Supervisor Peskin, seconded by Supervisor Newsom, moved to continued to June 24, 2003.
Motion failed by the following vote:
Ayes: 5 - Ammiano, Hall, McGoldrick, Newsom, Peskin
Noes: 6 - Daly, Dufty, Gonzalez, Ma, Maxwell, Sandoval

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved to rescind the vote.
Motion carried without objection.

Continued to July 8, 2003

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Ordinance be CONTINUED. The motion carried by the following vote:
Ayes: 6 - Ammiano, Hall, Maxwell, McGoldrick, Newsom, Peskin
Noes: 5 - Daly, Dufty, Gonzalez, Ma, Sandoval

030789 **[Children and Families Commission Annual Budget, FY 2003-04]**
Supervisor Daly

Resolution accepting the Annual Budget of the Children and Families Commission of the City and County of San Francisco for fiscal year 2003-2004.

Supervisor Daly requested to be added as a sponsor.

Resolution No. 346-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the City Services Committee

030541 **[Abolishing a portion of official sidewalk - Lyon Street south of Bay Street]**
Supervisor Newsom

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1559 to abolish a portion of official sidewalk on the westerly side of Lyon Street south of Bay Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk abolishment. (Public Works Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030027 **[Liquor License Transfer, 725 Folsom Street]**

Resolution disapproving the request for the transfer of a Type 21 off-sale general alcoholic beverage control license from 50 3rd Street to 725 Folsom Street (District 6), to Zain Assghayer dba "Museum Parc Market", and determining that it will not serve the convenience of the people of the City and County of San Francisco; in accordance with Section 23958.4 of the California Business and Professions Code.

Applicant has withdrawn the application for liquor license transfer.

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Hall

030537 **[Research on club-drugs and HIV risk behavior in high-risk men]**
Supervisors Dufty, Newsom

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPHAIDS) to accept retroactively and expend a grant in the amount of $159,973 from the National Institute on Drug Abuse (NIDA) for research on club-drugs and HIV risk behavior in high-risk men and to enter into an agreement for the use of these funds; for the period of March 1, 2003 to February 29, 2004. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 342-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of the Land Use Committee

030643 **[Street Vacation for Metro East Project]**

Ordinance ordering the summary vacation of portions of 26th Street, Michigan Street, Georgia Street and Louisiana Street; making findings pursuant to the California Streets and Highways Code, Chapter 4, Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and ratifying acts and authorizing actions in furtherance of the ordinance. (Real Estate Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of the Rules Committee

030684 **[Board of Supervisors/Clerk of the Board's Annual Budget]**
Supervisor Daly

Motion adding Rules 6.23 and 6.24 to the Rules of Order of the Board of Supervisors to provide a process for review and approval of the Board of Supervisors/Clerk of the Board's annual budget prior to submission to the Mayor.

Motion No. M03-82

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

030704 **[Public Hearing - Appeal, Conditional Use, 1017 Ocean Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16558 dated March 27, 2003 approving a conditional use authorization, Case No. 2002.1231C, to install a total of three (3) panel antennas and related equipment at an existing three-story, multi-use structure (Commercial/Residential) as part of Verizon's wireless telecommunications network within a NC-2 (Small Scale Neighborhood Commercial) Zoning District, and within a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues; Lot 041, in Assessor's Block 6945.

(Appeal filed April 24, 2003; categorically exempt from environmental review process pursuant to Class 1 exemptions of Title 14 of the California Administrative Code; companion measure to Files 030705, 030706, 030707; District 11.)

Continued to June 17, 2003

Supervisor Sandoval, seconded by Supervisor Newsom, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

(Only one of the following two motions should be adopted.)

030705 **[Appeal, Conditional Use - 1017 Ocean Avenue]**

Motion approving decision of the Planning Commission by its Motion No. 16558, approving Conditional Use Application No. 2002.1231C on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to June 17, 2003

Supervisor Sandoval, seconded by Supervisor Newsom, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030706 **[Appeal, Conditional Use - 1017 Ocean Avenue]**

Motion disapproving decision of the Planning Commission by its Motion No. 16558, approving Conditional Use Application No. 2002.1231C on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to June 17, 2003

Supervisor Sandoval, seconded by Supervisor Newsom, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030707 **[Findings - 1017 Ocean Avenue]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.1231C on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues, for action by the Board at its next meeting. (Clerk of the Board)

Continued to June 17, 2003

Supervisor Sandoval, seconded by Supervisor Newsom, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

COMMITTEE REPORTS

From the Rules Committee

Supervisor McGoldrick was noted absent at 3:47 p.m.

030716 **[Confirming the appointment of Sue Bierman to the San Francisco Port Commission]**

Resolution confirming the appointment of Sue Bierman to the San Francisco Port Commission, to serve the remaining four-year term, ending May 1, 2006. (Mayor)

Resolution No. 338-03

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin
Absent: 2 - McGoldrick, Sandoval

030723 **[Confirming the appointment of Michela Alioto-Pier to the San Francisco Port Commission]**

Resolution confirming the appointment of Michela Alioto-Pier to the San Francisco Port Commission, to serve the remaining four-year term, ending May 1, 2004. (Mayor)

Resolution No. 337-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

030728 **[Confirming the appointment of Wilfred Hsu to the San Francisco Port Commission]**

Resolution confirming the appointment of Wilfred Hsu to the San Francisco Port Commission, to serve the remaining four-year term, ending May 1, 2006. (Mayor)

Resolution No. 326-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

030685 **[Appointment - Director of Citizen Complaints]**

Mayor

Resolution confirming the appointment of Kevin Allen to the position of Director of Citizen Complaints (OCC). (Mayor)

Resolution No. 344-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

Supervisor McGoldrick was noted present at 3:53 p.m.

030347 **[Reauthorizing the Minority/Women/Local Business Utilization Ordinance]**
Supervisors Ma, Newsom, Dufty, Maxwell, Sandoval, Ammiano

Ordinance amending the San Francisco Administrative Code by amending Chapter 12D.A. thereof (1) to extend the Minority/Women/Local Business Utilization Ordinance to June 30, 2008 in order to continue to remedy identified discrimination against certain Prime MBE/WBE Contractors in City Contracting, to continue the City's policy of protecting Prime LBE Contractors from the economic competitive disadvantage of doing business in San Francisco, and to continue to remedy identified discrimination against certain MBE/WBE subcontractors in City Contracting by requiring City Prime Contractors to use good faith efforts to provide MBE/WBEs with opportunities to compete for City subcontracts; (2) to repeal Sections 12D.A.6(B)(9), 12D.A.8(3) and 12D.A.9(F) to eliminate the contract set aside program; (3) to revise section 12D.A.17 to include prime general services contracts in the subcontracting program; (4) to increase the economic thresholds under which disadvantaged professional service, architectural and engineering, specialty construction, and supplier firms can qualify for the remedial programs of this ordinance; (5) to preclude businesses owned by full time City employees and officers from becoming certified as an MBE, WBE or LBE; and (6) to make various technical revisions to the Minority/Women/Local Business Utilization Ordinance to conform it with existing City ordinances and administrative practices.

Supervisors Sandoval and Ammiano requested to be added as co-sponsors.
Item to be considered on the May 28, 2003 Special Board Meeting.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Supervisor Maxwell was noted absent at 4:25 p.m.
Supervisor Gonzalez was noted absent at 4:30 p.m.
Supervisor Peskin assumed the chair.
Supervisor Gonzalez was noted present at 4:45 p.m.

Abdulla Megaheed; homeless issues
Richard Robinson; general issues
Ms. Holly Tam; UCSF custodian employee contract
Male speaker; UCSF custodian employee contract
Female Speaker; homeless issues
Reverend Amos Brown; Baptist Ministry Council Prop N
Robert Pender; Park Merced
Francisco di Costa; request that Supervisors be present Public Comment general issues
David Clark; restaurant issues, homeless issues and support of Prop N
John Didonna; homeless issues
Andrew Bozeman; budget issues
James Carrol; opposed to Care Not Cash
Maria Martinez; support of SB 60
Female Speaker, member of Local 790; support of SB 60
Hallis Romero; support SB 60
Antonio Marquez, member of Local 250; support SB 60
Janet Dalleyman; support of SB 60
Doris; representative from Unite; support SB 60
Rigo Valdez; support SB 60
Harrison; general issues
Antonio; general issues
Male Speaker; general issues and roll call for federal legislation HR 114
Female Speaker; student housing issues
Male Speaker, on behalf of John Jenkel; amend HJ 20
Female Speaker; war issues
Female Speaker; roll call for federal legislation
Female Speaker; on behalf of John Jenkel; amend HJ 20

Recess Due to Lack of Quorum
The Board recessed at the hour of 5:16 p.m.

Present: 5 - Ammiano, Gonzalez, Hall, McGoldrick, Newsom
Absent: 6 - Daly, Dufty, Ma, Maxwell, Peskin, Sandoval

Supervisor Daly noted absent at 5:16 pm
President Gonzalez informed the Board that there would be a 20 minute recess.
Supervisor Peskin noted present at 5:17 p.m.

Reconvening of the Board
The Board at the hour of 5:42 p.m. reconvened.
Calling the Roll

Present: 6 - Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin
Absent: 5- Ammiano, Daly, Dufty, Maxwell, Sandoval

Supervisor Daly noted present at 5:43 p.m.
Supervisor Dufty noted present at 5:52 p.m.

Public Comment Continued

Female Speaker; general issues and SF Police Issues
Female Speaker; support of Asthma legislation
Maria Istoria; support of Asthma legislation
Director of Lung Association and member of the SF Asthma Task Force; support Asthma legislation
Sylvia Johnson; general issues

Recommendation of the Rules Committee

Supervisor Hall was noted absent at 6:02 p.m.
Supervisors Dufty and Ma were noted absent at 7:17 p.m.
Supervisors Dufty and Ma were noted present at 7:26 p.m.

030328 **[Settlement of Unlitigated Claim]**
Supervisors Hall, Ma

Ordinance approving settlement of an unlitigated claim by the City and County of San Francisco, acting by and through its Airport Commission, against D. Mitchell Concessions, Inc., by approving a lease of three coffee facilities in the Domestic Terminals and the main restaurant in the International Terminal, to one or more entities formed by Glenn Meyers, Dayna Meyers, and Garrett Meyers, approving the suspension of the Minimum Annual Guarantee for two Airport restaurants, waiving the competitive solicitation requirement in San Francisco Administrative Code Section 2A.173, and authorizing the Airport Director to execute agreements in furtherance of the foregoing.

Continued to June 10, 2003

Supervisor Peskin, seconded by Supervisor Newsom, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 5 - Daly, Dufty, Ma, Newsom, Peskin
Noes: 2 - Gonzalez, McGoldrick
Absent: 4 - Ammiano, Hall, Maxwell, Sandoval

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Unlitigated Claim

030825 **[Closed Session - Unlitigated Claim Filed by the City]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing unlitigated claim filed by the City against D. Mitchell Concessions, Inc. alleging that Mitchell is in default on its contractual obligations at San Francisco International Airport.

Government Code Section 54956.9(b)(1) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending unlitigated claim listed below.

San Francisco v. D. Mitchell Concessions, Inc.
Unlitigated Claim
Date Initiated - 7/02 (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Ma, moved to convene in Closed Session. The motion carried by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Ma, McGoldrick, Newsom, Peskin
Absent: 4 - Ammiano, Hall, Maxwell, Sandoval

Recess

The Board recessed at the hour of 6:03 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 7:17 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Daly, Dufty, Gonzalez, Ma, McGoldrick, Newsom, Peskin - 7

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above existing litigation.

Persons in attendance:
Supervisors Daly, Dufty, Gonzalez, Ma, McGoldrick, Newsom, Peskin

Adrienne Go, Deputy City Attorney
David Pfeifer, SFO
Ted Lakey, Deputy City Attorney
Gloria L. Young, Clerk of the Board
Kay Gulbengay, Deputy Clerk

Meeting was informational only and no action was taken.

Heard in Closed Session.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

Supervisor Ma, seconded by Supervisor Newsom, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Ma, McGoldrick, Newsom, Peskin
Absent: 4 - Ammiano, Hall, Maxwell, Sandoval

CONFERENCE WITH CITY ATTORNEY - Existing Litigation City as Defendant (Respondent)

030873 **[Closed Session - Existing Litigation - Care Not Cash Initiative, City as Defendant (Respondent)]**
Supervisor Gonzalez

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the petitioners challenge the validity of Proposition N, "Care Not Cash Initiative," which was approved by the voters of San Francisco at the November 5, 2002, consolidated general election in San Francisco.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(l) permit this closed session. Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending lawsuit below.

Pettye & Roman v. San Francisco, et al.
S.F. Superior Court No. CPF 02-502076
Date Filed: November 26, 2002.

Supervisor McGoldrick, seconded by Supervisor Ma, moved to convene in Closed Session. The motion carried by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Ma, McGoldrick, Newsom, Peskin
Absent: 4 - Ammiano, Hall, Maxwell, Sandoval

Recess

The Board recessed at the hour of 6: 03 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 7:17 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Daly, Dufty, Gonzalez, Ma, McGoldrick, Newsom, Peskin - 7

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above existing litigation.

Persons in attendance:
Supervisors Daly, Dufty, Gonzalez, Ma, McGoldrick, Newsom, Peskin

Wayne Snodgrass, Deputy City Attorney
Jennifer Williams, Deputy City Attorney
Ted Lakey, Deputy City Attorney
Gloria L. Young, Clerk of the Board
Kay Gulbengay, Deputy Clerk

Meeting was informational only and no action was taken.

Heard in Closed Session.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

Supervisor Peskin, seconded by Supervisor Ma, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Ma, McGoldrick, Newsom, Peskin
Absent: 4 - Ammiano, Hall, Maxwell, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

030846 **[Glocal Youth Parliament in Rome, Italy]**
Supervisors Daly, Newsom

Motion authorizing the attendance of two members of the San Francisco Youth Commission at the May 22-26, 2003, Glocal Youth Parliament in Rome, Italy. (Clerk of the Board)

Supervisor Daly requested to be added as sponsor.
Supervisor Newsom requested to be added as a co-sponsor.

Motion No. M03-86
APPROVED

030850 **[Board Off-site Meetings]**
Supervisor Maxwell

Motion ordering the City and School District Select Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on June 16, 2003 at 4:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

Motion No. M03-87
APPROVED

030874 **[Health Service Board]**
Supervisor Daly

Motion amending the Schedule of Audits for the Budget Analyst and directing the Budget Analyst to conduct a management audit of the Health Service System on a priority basis.

Motion No. M03-88
APPROVED

030875 **[Commend Armando Miranda]**
Supervisor Gonzalez

Resolution commending Armando Miranda for his extraordinarily considerate, compassionate and thorough work as deputy public defender for the San Francisco Drug Court.

Resolution No. 348-03
ADOPTED

030876 **[Commend Francis Scott Key Elementary School]**
Supervisors Ma, Hall

Resolution commending Francis Scott Key Elementary School's achievement as a recipient of the 2003 No Child Left Behind Title I Achieving Schools Award.

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 349-03
ADOPTED

030877 **[PUC Project Labor Agreement]**
Supervisors Maxwell, Daly

Resolution urging the San Francisco Public Utilities Commission to include social justice components in its Project Labor Agreement for the Hetch Hetchy Water System Capital Improvement Program.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 350-03
ADOPTED

030878 **[Asthma Training]**
Supervisors Maxwell, Dufty, Ma, Newsom

Resolution to support an Initiative for Asthma Training and Posting of Asthma Emergency Protocols at City-Funded Childcare Facilities.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 351-03
ADOPTED

030879 **[Senate Bill 60]**
Supervisor McGoldrick

Resolution in support of SB 60 regarding the use of federal tax ID numbers instead of social security numbers when applying for driver's licenses.

Resolution No. 352-03
ADOPTED

030891 **[Emergency Medical Services Week]**
Supervisors Newsom, Dufty, Hall, Ma

Resolution commending all providers of Emergency Medical Services for their contributions to the citizens and visitors of San Francisco and proclaiming the week of May 18-24, 2003 as Emergency Medical Services Week in the City and County of San Francisco.

Supervisors Hall and Ma requested to be added as co-sponsors.

Resolution No. 353-03
ADOPTED

030892 **[Clean Energy Exchange with India]**
Supervisors Peskin, Daly, Ma

Resolution supporting efforts to curb global warming and to develop partnerships with communities in India that allow for the sharing of information on emission reduction programs.

Resolution No. 354-03
ADOPTED

030893 **[Union Janitors]**
Supervisors Sandoval, Dufty, Daly, McGoldrick, Peskin, Ammiano, Ma, Gonzalez, Maxwell

Resolution urging the University of California San Francisco (UCSF) to make janitorial custodians in-house employees and corporate citizens of the City and County of San Francisco to utilize union janitorial services.

Supervisors Dufty, Daly, McGoldrick, Peskin, Ammiano, Ma, Gonzalez and Maxwell requested to be added as co-sponsors.

Resolution No. 355-03
ADOPTED

030842 **[Final Map for an 11 Unit Mixed Use Condominium Project]**
Motion approving Final Map of 555 Irving Street, a Mixed Use Condominium Project, being a subdivision of Lot 35 Assessor's Block No. 1761, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,113; District 5.)

Motion No. M03-83
APPROVED

030843 **[Final Map for a 6 Unit Residential Condominium Project]**
Motion approving Final Map of 135 Carl Street, #1 - #6, a Residential Condominium Project, being a subdivision of Lot 20 Assessor's Block No. 1272, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,104; District 5.)

Motion No. M03-84
APPROVED

030844 **[Final Map for an 18 Unit Residential Condominium Project]**
Motion approving Final Map of 3490 California Street, a Residential Condominium Project, being a subdivision of Lot 65 in Assessor's Block No. 1019, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,094; District 2.)

Motion No. M03-85
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin
Absent: 3 - Ammiano, Maxwell, Sandoval

Severed From Without Reference to Committee Agenda

Supervisor Hall requested that this matter be severed so that it could be considered separately.

030847 **[Designating Fire Stations as Permissible Locations to Safely Surrender a Child 72 Hours Old or Less Without Criminal Prosecution for Child Abandonment]**

Supervisor Hall

Resolution designating San Francisco Fire Stations as permissible locations for a parent or any adult with legal custody of a child to safely surrender that child without criminal prosecution for child abandonment.

Resolution No. 347-03

ADOPTED by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin
Absent: 3 - Ammiano, Maxwell, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Peskin, moved ADOPTION of the Commendatory Finding Act. The motion carried by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin
Absent: 3 - Ammiano, Maxwell, Sandoval

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Peskin, moved ADOPTION of the Brown Finding Act. The motion carried by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin
Absent: 3 - Ammiano, Maxwell, Sandoval

030912 **[Commend Conrad Benedicto]**
Supervisor Sandoval

Resolution commending Conrad Benedicto, teacher at Balboa High School, and the Wilderness Arts and Literacy Collaborative at Balboa High School.

Resolution No. 356-03

ADOPTED by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin
Absent: 3 - Ammiano, Maxwell, Sandoval

030913 **[Commend John deCastro]**
Supervisors Maxwell, Dufty

Resolution commending John deCastro for his dedication and commitment to the Potrero neighborhood and proclaiming May 27, 2003 as John deCastro Day in the City and County of San Francisco.

Resolution No. 357-03

ADOPTED by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin
Absent: 3 - Ammiano, Maxwell, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

020415 **[Homeless Outreach]**
Supervisor Newsom

Ordinance amending S.F. Administrative Code Chapter 20 to establish a coordinated, geographically based outreach program for homeless services.

6/27/02 Local Homeless Coordinating Board did not take a position on legislation.

3/11/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

12/31/02, FILED PURSUANT TO RULE 5.37.

5/20/03, REACTIVATED PURSUANT TO RULE 5.24. Supervisor Newsom requested this matter be reactivated.

5/20/03, ASSIGNED to City Services Committee.

020491 **[Interdepartmental Coordination of Homeless Services]**
Supervisor Newsom

Ordinance amending S.F. Administrative Code Chapter 20 to create a plan for the coordination of services and accountability between the city departments and agency responsible for the delivery of services to the homeless population of San Francisco, and to establish an advisory committee to monitor city contracts for homeless shelters and drop-in centers.

6/27/02 Local Homeless Coordinating Board opposed to legislation.
3/25/02, ASSIGNED UNDER 30 DAY RULE to Health and Human Services Committee, expires on 4/24/2002.
12/31/02, FILED PURSUANT TO RULE 5.37.
5/20/03, REACTIVATED PURSUANT TO RULE 5.24. Supervisor Newsom requested this matter be reactivated.
5/20/03, ASSIGNED to City Services Committee.

020594 **[Rental Deposit Matching Fund]**
Supervisor Newsom

Ordinance amending S.F. Administrative Code Chapter 20 to create a rental deposit matching fund to assist people moving from shelter, residential treatment, or transitional housing into permanent housing.

(Fiscal impact.)
4/15/02, RECEIVED AND ASSIGNED to Finance Committee.
12/2/02, FILED PURSUANT TO RULE 5.37.
5/20/03, REACTIVATED PURSUANT TO RULE 5.24. Supervisor Newsom requested this matter be reactivated.
5/20/03, ASSIGNED to City Services Committee.

030739 **[Requiring for certain public work involving asphalt that the contractor use asphalt from the City asphalt plant]**
Supervisor Peskin

Ordinance adopting new Section 6.9 of Administrative Code Chapter 6, Article I, requiring that for certain public work involving asphalt that public work contractors use asphalt from the City asphalt plant.

(Fiscal impact.)
4/30/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.
5/20/03, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.
5/20/03, ASSIGNED to Finance and Audits Committee.

021726 **[Regulation of mobile storage containers on the public right-of-way]**
Supervisors Sandoval, Maxwell

Ordinance adding Sections 726 et seq. of the Public Works Code to regulate placement of mobile storage containers on the public right-of-way.
10/16/02, ASSIGNED UNDER 30 DAY RULE to Public Works and Public Protection Committee, expires on 11/14/2002.
12/16/02, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing same title.
12/16/02, ASSIGNED to Public Works and Public Protection Committee.
12/31/02, REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and comment.
2/4/03, TRANSFERRED to Land Use Committee. Transferred pursuant to new committee structure, 2/17/03.
3/11/03, RESPONSE RECEIVED. From department making suggestions for amending legislation.
5/20/03, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordiance bearing the same title.
5/20/03, ASSIGNED to Land Use Committee.

030914 **[Re-appropriate existing funding for the over-expenditures in personnel costs, non-personal services, and workers compensation for DPH]**
Mayor, Supervisor Daly

Ordinance re-appropriating $9,342,000 of existing departmental revenues to cover over- expenditures in personnel costs, non-personal services, and workers compensation for the San Francisco General and Laguna Honda Hospitals for the Department of Public Health for fiscal year 2002-03. (Mayor)

(Fiscal impact.)
5/20/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the June 4, 2003 meeting.

030915 **[Ban on sale of carbonated beverages and certain fruit-based drinks on City property]**
Supervisor Sandoval

Ordinance adding Section 4.24 to the Administrative Code to ban the sale of carbonated beverages and certain fruit-based drinks on property owned by or under the control of the City, except under certain circumstances.
5/20/03, RECEIVED AND ASSIGNED to City Services Committee.

030916 **[Imposing permit fee surcharge on permits subject to appeal before the Board of Appeals]**
Supervisor Peskin

Ordinance amending the Administrative Code by adding a new Article 10G, imposing a surcharge on permits issued by the Department of Building Inspection, the Taxi Commission, the Police Department and the Department of Public Works, and imposing a surcharge on fees imposed by the Planning Department for review of permits where such permits are subject to appeal before the Board of Appeals.
5/20/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

030917 **[City Composting]**
Supervisor Sandoval

Resolution urging all City facilities that have food service operations or generate significant compostable discards and all contracted food service vendors operating on City premises to participate in composting and recycling collection programs and to use food service materials that either are recyclable or compostable; and to purchase compost and/or mulch that is made from San Francisco's composting or mulching programs.
5/20/03, RECEIVED AND ASSIGNED to City Services Committee.

030918 **[Halloween in the Castro]**
Supervisors Dufty, Ammiano, Ma, Newsom, McGoldrick, Daly, Maxwell

Resolution recognizing and establishing Halloween in the Castro as an official City event, encouraging the involvement and cooperation of City Agencies to prepare for this year's Halloween and identifying the basic parameters of this event.
5/20/03, RECEIVED AND ASSIGNED to City Services Committee. Clerical correction on page 2, line 10, replace lowercase "d" with uppercase "D" in the word district.

030919 **[Full Day Alternatives to Summer School]**
Supervisors Ammiano, Ma, Peskin, Gonzalez, Newsom, McGoldrick, Dufty

Resolution urging the Mayor to fund $388,300 for full-day alternatives to summer school for 2003 from the Children's Fund submitted to the Board of Supervisors for its consideration on June 1, 2003.
5/20/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030923 **[Appointment - Municipal Transportation Agency]**
Mayor, Supervisor Hall

Resolution confirming the appointment of Michael G. Kasolas to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2007. (Mayor)
5/20/03, RECEIVED AND ASSIGNED to Rules Committee.

030924 **[Accept-Expend State Grant]**
Mayor, Supervisors Dufty, Newsom

Resolution authorizing the Mayor's Office of Emergency Services to accept and expend a grant in the amount of $179,451 from the California Governor's Office of Emergency Services for emergency operations planning. (Mayor)
5/20/03, RECEIVED AND ASSIGNED to City Services Committee.

030925 **[Accept-Expend State Grant]**
Mayor, Supervisors Dufty, Newsom

Resolution authorizing the Mayor's Office of Emergency Services to accept and expend a grant in the amount of $251,674 from the California Governor's Office of Emergency Services for emergency response equipment. (Mayor)
5/20/03, RECEIVED AND ASSIGNED to City Services Committee.

030926 **[Homeless Death Count]**
Supervisors Newsom, Daly

Resolution urging the Medical Examiner and the Director of the Department of Public Health, in collaboration with the Mayor's Office of Homelessness, to reactivate the Homeless Death Prevention Community Advisory Board or some other appropriate policy-making group to track and analyze the death of homeless individuals.
5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030930 **[Commend Joe Lynn]**
Supervisors Gonzalez, Ammiano, Newsom, Maxwell, McGoldrick, Peskin, Sandoval, Dufty, Ma, Daly, Hall

Resolution commending Joe Lynn, Campaign Finance Officer of the Ethics Commission for his tireless efforts in promoting the public's right to know the state of campaign finance in San Francisco.
5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030931 **[Commend Chief Juvenile Probation Officer Jesse E. Williams Jr.]**
Supervisors Maxwell, Dufty, Hall, Ma, Daly, Newsom

Resolution commending Chief Juvenile Probation Officer Jesse E. Williams Jr. for his exemplary services and dedication to San Francisco.
5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030932 **[Extension of Planning Commission Review Period]**
Supervisor McGoldrick

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by amending Sections 311 and 312 to require expanded public notice of exterior alteration projects and requiring the Building and Planning Departments to issue implementing regulations within 90 days and report to the Board on the effectiveness of the ordinance no later than nine months thereafter.
5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030933 **[SFUSD to Consider Tagalog/Filipino Language Access for Students]**
Supervisors Sandoval, Ma, Daly

Resolution urging the San Francisco Unified School District to consider Tagalog/Filipino language access and studies as a necessary part of the school system curriculum.
5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030934 **[Reconsideration of Board of Supervisors Raise]**
Supervisor Newsom

Resolution requesting that the Civil Service Commission reconsider its decision to give the Board of Supervisors a $74,735 raise.
5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030935 **[Healthy Business Environment in Chinatown]**
Supervisors Peskin, Ma, Dufty, Hall, Daly, Newsom

Resolution supporting efforts to foster a healthy, expanding business environment in San Francisco's Chinatown during these economically challenging times.
5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030936 **[SS Jeremiah O'Brien Day]**
Supervisors Peskin, Dufty, Hall, Newsom

Resolution declaring June 19, 2003 SS Jeremiah O'Brien Day in celebration of the 60th birthday of the sole operational survivor of the 5,000 ship armada that stormed Normandy Beachheads on D-Day.
5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030937 **[Supporting Senate Bill 304]**
Supervisor Peskin

Resolution supporting Senate Bill 304 and efforts in the California State Senate to foster greater competition in the retail gasoline market.
5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030938 **[Recycled paper for catalogs]**
Supervisors Peskin, Newsom

Resolution urging the consumer catalog industry to use 50 percent post-consumer recycled paper for catalogs, to preserve natural resources, to conserve landfill space, and to reduce air and water pollution associated with the manufacturing of virgin wood-fiber paper.
5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

030812 **[Charter Amendment - Designating the Controller as City Services Auditor]**
Supervisors McGoldrick, Peskin

Charter amendment (Second Draft) to amend Section 3.105 and adding Appendix F to designate the Controller as the City Services Auditor, establish duties for that function, make the Controller a non-voting ex-officio member of the Board of Supervisors and all City commissions, and set aside 0.2 percent of the City's annual budget for a Controller's Audit Fund.

(Fiscal impact.)
5/20/03, SUBSTITUTED. Supervisor McGoldrick submitted a substitute Charter amendment bearing new title.
5/20/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/19/2003.

030865 **[Charter Amendment -Transferring the Police Department's functions, assets and operations to the Sheriff]**
Supervisor Daly

Charter amendment (Second Draft) to amend Section 6.105 and providing for the repeal of Section 4.109, to transfer the Police Department's functions, assets and operations to the Sheriff.
5/13/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2003.
5/20/03, SUBSTITUTED. Supervisor Daly submitted a substitute Charter amendment bearing new title.
5/20/03, ASSIGNED UNDER 30 DAY RULE.

Requests for Hearing

030945 **[Budget Hearing and Review, FY 2003-04]**
Hearing to consider the Annual Budget for the Rent Arbitration Board, Port, and General City Responsibility for fiscal year 2003-2004. (Clerk of the Board)
5/20/03, RECEIVED AND ASSIGNED to Budget Committee.

030946 **[Budget Hearing and Review, FY 2003-04]**
Hearing to consider the Annual Budget for Child Support Services, Department of Building Inspection, and the Retirement System for fiscal year 2003-2004. (Clerk of the Board)
5/20/03, RECEIVED AND ASSIGNED to Budget Committee.

030911 **[Committee of the Whole - Beilenson Hearing]**
Hearing to consider the Department of Public Health's budget eliminating or reducing medical services. (Beilenson Hearing) (See Public Notice posted outside the Clerk of the Board's Office, Room 244, City Hall) (Clerk of the Board)
5/20/03, SCHEDULED FOR PUBLIC HEARING. Pursuant to File 030756, Board Sitting as a Committe of the Whole on June 10, 2003 at 3:00 p.m.
5/27/03 - Received communication from Director of Health informing that DPH posted written public notice of the FY 2003-04 Budget reductions pursuant to Ca. Health & Safety Code 1442.5 (a) subject to Beilenson Hearing.
5/27/03 - Public Notice posted on Board of Supervisors kiosk.

030920 **[The State of San Francisco's Restaurant Industry - 2003]**
Supervisor Dufty

Hearing to consider the "Economics of the San Francisco Restaurant Industry" study commissioned by the Golden Gate Restaurant Association (GGRA) and the restaurant survey by the San Francisco Convention and Visitors Bureau (SFCVB). This hearing will consider possible ways San Francisco can better support and maintain our restaurant industry, as well as economic conditions and insurance costs that are threatening restaurant viability.
5/20/03, RECEIVED AND ASSIGNED to City Services Committee.

030921 **[Homeless Spending]**
Supervisor Daly

Hearing to consider spending in Fiscal Years 2002-2003 and 2003-2004 on direct services to the homeless in San Francisco.
5/20/03, RECEIVED AND ASSIGNED to Budget Committee.

Motion

030910 **[Liquor License, 39 New Montgomery Street]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Hearing to consider that the issuance of a Type 48 on-sale general public premises liquor license to The Brothers Earl, LLC (Jason Miller and Kevin Ellis) for the House of Shields, located at 39 New Montgomery Street (District 6), will serve the convenience and necessity of the people of the City and County of San Francisco.

Report

030922 **[Youth Commission Year End Report]**
Report from the San Francisco Youth Commission. (Clerk of the Board)
5/20/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration June 10, 2003, Special Order at 2:00 p.m.

PROPOSED ORDINANCES

030837 **[Settlement of Lawsuits - Tammy Haygood]**

Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment within two years. (City Attorney)

(Public Benefit Recipient.)
(Supervisor Dufty dissenting in committee.)
5/5/03, RECEIVED AND ASSIGNED to Rules Committee. Scheduled for public hearing June 10, 2003, at 3:00 pm.

PROPOSED RESOLUTIONS

030822 **[Lease of Real Property]**

Resolution authorizing the exercise of a five year option to extend the Lease of approximately 7,725 square feet of space at 3801 3rd Street, suites 110, 210, 220 and 230 for the Department of Human Services. (Real Estate Department)

(Public Benefit Recipient.)
5/6/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030823 **[Lease of Real Property]**

Resolution authorizing the exercise of a five year option to extend the Lease of approximately 1,800 square feet of space at 3801 3rd Street, suite 205 for the Department of Human Services. (Real Estate Department)

(Public Benefit Recipient.)
5/6/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030824 **[Accept-Expend State Grant]**
Supervisors Dufty, Newsom

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the Governor's Office of Criminal Justice Planning for a project entitled "Suppression of Drug Abuse in Schools Program." (Police Department)

(No Public Benefit Recipient.)
5/6/03, RECEIVED AND ASSIGNED to City Services Committee.

030880 **[Lease of Real Property]**
Resolution authorizing a lease renewal at 729 Filbert Street for the Department of Public Health. (Real Estate Department)

(Public Benefit Recipient.)
5/9/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030881 **[Lease of Real Property]**
Resolution authorizing a lease renewal at 2001 Van Ness Avenue/1700 Jackson Street for the Department of Public Health. (Real Estate Department)

(Public Benefit Recipient.)
5/9/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030885 **[2003 Neighborhood Recreation and Park Facilities General Obligation Bond Sale]**
Supervisor Newsom

Resolution authorizing and directing the sale of not to exceed $20,960,000 City and County of San Francisco General Obligation Bonds (Neighborhood Recreation and Park Facilities Improvement Bonds, 2000), Series 2003A; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds. (Mayor)

(No Public Benefit Recipient.)
5/12/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests Granted

From: Supervisor Peskin
To: City Attorney
Requesting/Inquiring: To draft an ordinance that would lower parking fines charged by the City if revenue generated from such fines exceeds a certain threshold. The Supervisor requests that this legislation be drafted as quickly as possible, due to the coming imposition of increased parking fines. This triggered decrease in parking fines would ensure that local residents are not being punished in an onerous manner in order to bridge the city's current budget deficit.

From: Supervisor Dufty
To: San Francisco Department of Public Health
San Francisco Fire Department
Requesting/Inquiring: Inquiring whether there are any steps that the sponsors of the annual Bay to Breakers can take to better respond to cardiac emergencies by participants, including use of defibulators.

From: Supervisor Hall
To: Department of Human Resources
Requesting/Inquiring: What would the City need to do in order to have the definition of "dependent" extended to an elderly parent(s) over the age of 70 for the purposes of health benefits, etc.? In other words, where childcare coverage is allowed for an employee - how can those benefits be extended to provide for eldercare?

In Memoriams

Barbara Shainwald Rogers (Supervisor Dufty)
Nicholas Ng (Supervisor Dufty)
Annette Brady (Supervisor Gonzalez)
Thomas Francis Stack (Supervisor Hall)
Lydia Cerone (Supervisor Hall)

ADJOURNMENT

There being no further business, the Board at the hour of 7:27 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 8, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

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Tuesday, May 28, 2003 9:00 AM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Special Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvsrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly	2nd Monday, bi-monthly
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 9:04 a.m. On the call of the roll, the following Supervisors were noted absent.

Supervisors Hall, Ma, McGoldrick - 3

Quorum present.

Supervisors Hall and Ma were noted present at 9:07 a.m.

APPROVAL OF MEETING MINUTES

Supervisor Daly, seconded by Supervisor Newsom, moved to approve April 22, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, Newsom, Peskin, Sandoval
Absent: 3 - Hall, Ma, McGoldrick

UNFINISHED BUSINESS

Recommendation of the Rules Committee

030347 **[Reauthorizing the Minority/Women/Local Business Utilization Ordinance]**
Supervisors Ma, Newsom, Dufty, Maxwell, Sandoval, Ammiano

Ordinance amending the San Francisco Administrative Code by amending Chapter 12D.A. thereof (1) to extend the Minority/Women/Local Business Utilization Ordinance to June 30, 2008 in order to continue to remedy identified discrimination against certain Prime MBE/WBE Contractors in City Contracting, to continue the City's policy of protecting Prime LBE Contractors from the economic competitive disadvantage of doing business in San Francisco, and to continue to remedy identified discrimination against certain MBE/WBE subcontractors in City Contracting by requiring City Prime Contractors to use good faith efforts to provide MBE/WBEs with opportunities to compete for City subcontracts; (2) to repeal Sections 12D.A.6(B)(9), 12D.A.8(3) and 12D.A.9(F) to eliminate the contract set aside program; (3) to revise section 12D.A.17 to include prime general services contracts in the subcontracting program; (4) to increase the economic thresholds under which disadvantaged professional service, architectural and engineering, specialty construction, and supplier firms can qualify for the remedial programs of this ordinance; (5) to preclude businesses owned by full time City employees and officers from becoming certified as an MBE, WBE or LBE; and (6) to make various technical revisions to the Minority/Women/Local Business Utilization Ordinance to conform it with existing City ordinances and administrative practices.

Ordinance No. 134-03
FINALLY PASSED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, Newsom, Peskin, Sandoval
Absent: 3 - Hall, Ma, McGoldrick

NEW BUSINESS

Recommendation of the Budget Committee

030804 **[Appropriation - $700,000 for the Airport custodial services]**
Supervisors Sandoval, Daly, Gonzalez, McGoldrick, Peskin, Ammiano, Maxwell, Ma

Ordinance rescinding $700,000 of unencumbered appropriation authority for the Airport Runway Configuration capital project and appropriating $700,000 in fund balance for custodial services for the Airport Commission for fiscal year 2002-03.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

PUBLIC COMMENT

Abdualla Megaheed; homeless issues
Eva Merritt; homeless issues
Timothy Brown; Local Representative 1877 Airport workers thanking the Board for their support
James Chaffee; library issues reserved comments for 3 minute time limit
Mr. Gonzalez; employee from Airport thanking the Board for their support
Mr. Gonzalo; airport worker thanking the Board for their support
A. Duffy; concern about 2 minute limit for public comment and Board issues

ADJOURNMENT

There being no further business, the Board at the hour of 9:19 a.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 8, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

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